



The Corporation of the
TOWN OF MILTON
ABBREVIATED COUNCILLOR RESPONSE

Report to: Chair & Members of the Community Services Standing Committee

From: Jennifer Reynolds, Director, Community Services

Date: October 15, 2012

Report No. COMS-029-12

Subject: Union Gas Trail Development
(Philbrook Drive to Thompson Road South - Trail Segment)
Project Status Update

RECOMMENDATION: THAT Staff Report COMS-029-12 regarding Councillor Di Lorenzo's inquiry on the matter of the Union Gas Trail status be received for information.

REPORT

Background

During the September 10, 2012, Community Services Standing Committee Meeting, Councillor Di Lorenzo requested that Community Services prepare a status report with respect to the trail segment that is to be constructed in the Union Gas Corridor between Philbrook Drive and Thompson Road South. This report is a detailed response to that request.

Response

The Union Gas Trail segment to be constructed between Philbrook Drive and Thompson Road South is currently in a stage of "base condition" preparation by both Mattamy and the New Life Church (NLC). The Town requires that all parkland and trail lands in new development areas are prepared per the Town's Engineering and Park Standards by the development community. This land preparation work is called the "base condition" of a site. This work is to be done prior to the Town performing any capital work in the area. Town capital project costs for parks and open space development are budgeted assuming the Town's pre-development base condition standards are satisfied. Development charges and other funding sources cover the cost of constructing parks and trails on lands assuming that this base condition work has been appropriately achieved.



For this particular project, the original base condition represented in the approved engineering drawings of the subdivision agreement provided an area of land graded to be relatively flat for the trail. That soil was to be compacted sufficiently to allow for the construction of the future trail. The drawings also called for seeding and fine grading of the trail area.

Subsequent to the approved drawings, development has occurred around the lands. As a result, the Town has worked with both Mattamy and the NLC to approve a revised engineering design that meets the needs of all parties and such a design was developed to provide the base condition work noted above, but also to accommodate church parking (as approved by the Committee of Adjustment and Consent) and to improve the overall drainage of the entire corridor. It is both Mattamy and the NLC's responsibility to deliver that agreed to base condition to the Town. It was originally anticipated that this base condition work would be completed in 2011. However, the work only started in the fall of 2011, when the revised base condition drawings were finally deemed acceptable to all three stakeholders. Other third party challenges have delayed this land from being conveyed to the Town for Town capital construction work.

As a result, in May, 2012, the Town initiated weekly meetings during the construction season to help expedite the process and to ensure continued dialogue between all parties.

Currently, Mattamy is committed to complete their works on the site this fall. The NLC has some work in the parking lot to complete that can be performed after Mattamy's work is complete. Mattamy was originally waiting for parking lot works to be completed entirely by NLC so that they could finish their works. However, NLC has had an extended delay in their parking lot works and Mattamy is moving forward regardless. All parties are in agreement with this plan of action.

A draft sub-lease between the Town and NLC was provided to Council on May 9, 2011. As per Council Report COMS-019-11 staff was authorized to, "make minor modifications to the agreement...to the mutual satisfaction of both parties". Minor modifications were made and the agreement was provided to the NLC in the spring of 2011 for review and comment. The agreement was then coordinated and all desired changes were made and re-circulated. Town staff is satisfied with the agreement however NLC is still in the process of reviewing the agreement. Staff had hoped to have this agreement in place in 2011; however the NLC maintains that all the base condition works be completed in the corridor, in conformance with the approved drawings, before they will be able to sign off on the sub-lease.



Once the base work is done, as-constructed drawings are provided by Mattamy to the Town's satisfaction, and the sub-lease is finalized and signed, the Town will be in a position to move ahead with our capital tender process to build the trail. As a result of the third party issues related to this site, staff does not anticipate the trail being constructed until 2013. That is also assuming that all of the issues noted, and controlled by third parties, are resolved prior to tendering the Town's contract. The Town will continue to actively monitor the completion of these third party issues so that the construction of the trail meets this timeline. Town staff anticipates that in good faith the NLC will continue to work closely with the Town and will sign the sub-lease forthwith.

Mattamy has agreed to look after the maintenance of the corridor area until such time that the Town is able to take over the site.

Financial Impact

Funding for this new trail development has been approved in the 2011 Community Services Department, Parks Capital Budget.

Respectfully submitted,

Jennifer Reynolds
Director, Community Services

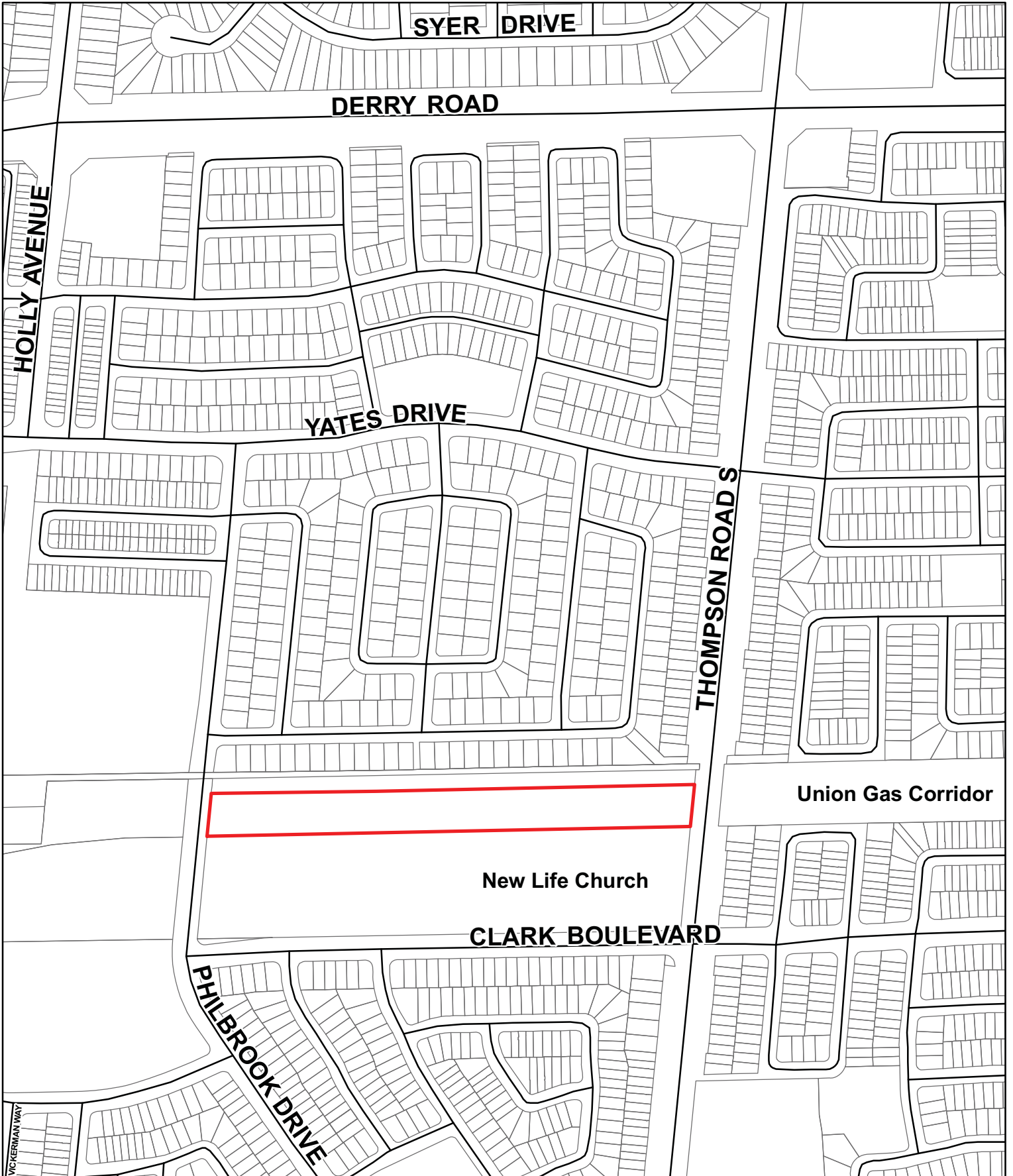
CAO Approval: _____

If you have any questions on the content of this report: Jon Meyer, 905-878-7252 Ext. 2572

Attachments: Schedule A – Key Map



Schedule A - Key Map



Subject Property



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