



The Corporation of the TOWN OF MILTON

ABBREVIATED COUNCILLOR RESPONSE REPORT

Report to: Mayor G. A. Krantz and Members of Council

From: M. Paul Cripps, P.Eng., Director, Engineering Services

Date: September 24, 2007

Report No. ENG-041-07

Subject: Status of Churchill Estates Subdivision, (Phases 1 and 2)
20M-728 and 20M-797
Guelph Line at 15 Sideroad, Brookville

RECOMMENDATION: THAT Staff Report ENG-041-07 regarding Councillor Jan Mowbray's inquiry on the matter of the status of the Churchill Estates subdivision be received for information.

REPORT

Background

As a result of homeowner inquiries, Councillor Mowbray requested staff to provide information on the current status of the subdivision and the expected timeframe for assumption of both phases of the subdivision by the Town.

Response

Phase 1 of the Churchill Estates subdivision was approved for construction in 2000. Phase 2 was approved in 2001. Base asphalt was placed, and house construction began immediately. The top asphalt and remainder of public services were completed in 2005. At that time, only 2 of the 69 lots were vacant or incomplete.

Normally the one-year Maintenance Period would begin following the completion of the top asphalt and all required public services, along with a reduction in the Letter of Credit to the developer.

Due to a significant number of resident complaints regarding lot grading and drainage, the maintenance period was postponed until the issues were resolved.

Regarding the current Letters of Credit, in January 2007, we received a letter from Graham Brothers Construction, one of the contractors who had performed roadworks within the subdivision on behalf of the developer, indicating that their invoices were outstanding, (confirming that the owner had failed to pay his contractor), contrary to the



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statement made by the developer several months earlier in his Statutory Declaration to the Town. At this time, the issue is unresolved to our satisfaction, and no further reductions in the Letters of Credit have been granted. The Town currently holds securities of approximately \$115,000.00 and \$168,000.00 for phases 1 and 2 respectively.

As of September 1, 2007, we can confirm that all public services are complete, and all lot grading issues have been resolved, with the exception of lots 23 and 24 in phase 2. Staff are currently working with the developer and are in discussions with the homeowners to reach a solution.

It is expected that, following the completion of this outstanding item, we will be prepared to begin the Maintenance Period for both phases of the subdivision. Community Services has provided their recommendation to proceed as well.

Following the completion of the maintenance period, we anticipate that both phases of the subdivision will be assumed by the Town in 2008.

Financial Impact

There is no financial impact.

Respectfully submitted,

M. Paul Cripps, P.Eng.
Director, Engineering Services

CAO Approval: _____

If you have any questions on the content of this report: Eric Lehtinen, 905-878-7252 ext. 2509.
