



# MEMBER MOTION

## Section 5.4.4(b) of Procedure By-law

<b>Meeting:</b>	Council
<b>Meeting Date:</b>	February 23 <sup>rd</sup> , 2022
<b>Subject/Title:</b>	Report on assumption of the private laneway for freehold townhouses 141-247 Shirley Drive
<b>Submitted by:</b>	Councillor Liu

### Subject Lands:

Parcel 368-1, Section 65M-3128 being part of Block 368, Plan 65M-3128 designated as Parts 49, 50, and 51 on Plan 65R-20018 Town of Richmond Hill, Regional Municipality of York Land Registry Office for the Land Titles Division of York Region (No. 65)

Laneway Easement Lands: are those parts of Blocks 364 to 370, both inclusive, on Plan 65M3128, designated as Pars, 1, 2, 7, 8, 11, 12, 15, 16, 21, 22, 26, 120, 29, 30, 37, 38, 41, 42, 48, 49, 54, 55, 61, 62, 67, 68, 72, 73, 77, 78, 81, 82, 86, 87, 91, 92, 97, 98, 104, 105, 111, 112 and 118 on Plan 65R-20018.

WHEREAS the Shirley Drive townhomes built in 1997/1998 have an ownership arrangement for their rear laneway that is unique within in the City of Richmond Hill, and pre-dates the Condominium Act, 1998;

WHEREAS the builder, Law Development Group, registered "For Profit" Corporation 1286302 Ontario Limited with a residents' Board of Directors to govern and self-manage the maintenance and upkeep of the laneway under the terms of a Shared Facilities Agreement under which residents purchased their homes;

WHEREAS the Shirley Drive Rear Laneway townhomes are not registered under the Condominium Act, 1998 and therefore, are not supported by legislative requirements provided by the Condominium Act;

WHEREAS in order to provide relief to residents who have been disadvantaged with this unique arrangement over the past 23 years;

WHEREAS in order to eliminate the onerous and unsustainable expectation placed on residents to operate a self-managed committee without the support of the legislative provisions provided by the Condominium Act;

WHEREAS in order to eliminate the burden on residents to understand environmental sensitivities and technical requirements related to catch basin stormwater management and other infrastructure needs.

WHEREAS residents are entitled to receive equal levels of service and maintenance as other City owned rear laneway townhomes;

WHEREAS the City of Richmond Hill should achieve uniformity with other City owned rear laneway townhomes;

AND WHEREAS current residents have approved a 100% majority signed petition requesting the City of Richmond Hill to assume ownership and maintenance responsibilities for the rear laneway;

THEREFORE, BE IT RESOLVED THAT:

Council direct staff to investigate and report back on the possible challenges and options for the assumption of the private laneway (above and below ground) for the freehold townhomes known municipally as 141-247 Shirley Drive as a designated public highway, in keeping with other freehold rear laneway townhomes operated and maintained by the City.

Moved by: Councillor Liu

Seconded by: