

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 11, 2018, as follows:

By approving the following in accordance with communication C1, from the Deputy City Manager, Planning and Growth Management, dated April 4, 2018:

- 1. That this Communication, be received;***
- 2. That Recommendation #2 of Item #7 of the Committee of the Whole Report of April 4, 2018, respecting Draft Plan of Condominium 19CDM-16V001, be deleted and replaced with the following:***
 - “2. Any retaining walls and subsurface infrastructure shall be situated within POTLs of the proposed townhouse units fronting onto the common element condominium road and the declaration of the future condominium corporation shall provide that the future condominium corporation shall maintain and manage the retaining walls and subsurface infrastructure and reserve a right of entry onto the POTLs to carry out such obligations.”***
- 3. That Condition #2 on Attachment #1 (Conditions of Draft Approval of Item #7 of the Committee of the Whole Report of April 4, 2018, respecting Draft Plan of Condominium 19CDM-16V001, be deleted and replaced with the following:***
 - “2. Any retaining walls and subsurface infrastructure shall be situated within POTLs of the proposed townhouse units fronting onto the common element condominium road and the declaration of the future condominium corporation shall provide that the future condominium corporation shall maintain and manage the retaining walls and subsurface infrastructure and reserve a right of entry onto the POTLs to carry out such obligations.”***

By receiving communication C18 from Mr. Leo Longo, Aird & Berlis, Bay Street, Toronto, dated April 9, 2018.

7 DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-16V001 RAVINES OF ISLINGTON ENCORE INC. WARD 2 - VICINITY OF ISLINGTON AVENUE AND LANGSTAFF ROAD

The Committee of the Whole recommends:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 2

- 1) **That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated April 4, 2018, be approved; and**
- 2) **That Communication C41 from Mr. Leo F. Longo, Partner, Aird & Berlis LLP, Brookfield Place, Bay Street, Toronto, dated April 3, 2018, be received.**

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Common Elements) File 19CDM-16V001 for the subject lands shown on Attachments #2 and #3, to establish the condominium tenure for the common elements for a development consisting of 36 townhouse units.

Report Highlights

- The Owner is proposing to establish the condominium tenure for the common elements consisting of a private road, sidewalks, 9 visitor parking spaces, an amenity area, as well as retaining walls and subsurface infrastructure that are to be considered common elements, as shown part on Attachment #4, for a residential development consisting of 36 townhouse units.
- The Development Planning Department supports the approval of Draft Plan of Condominium (Common Elements) File 19CDM-16V001, subject to conditions, as it conforms to Vaughan Official Plan 2010, complies with Zoning By-law 1-88 and is consistent with the Ontario Municipal Board approved Site Development File DA.15.085.

Recommendations

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-16V001 (Ravines of Islington Encore Inc.) BE APPROVED; as shown on Attachment #4, subject to Recommendation #2 and the Conditions of Draft Approval set out in Attachment #1.
2. THAT the Draft Plan of Condominium shown on Attachment #4 be updated to include all common elements, including any retaining walls and subsurface infrastructure to the satisfaction of the City of Vaughan, which are to be managed by the future Condominium Corporation, to the satisfaction of the City.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 3

3. THAT City of Vaughan staff be directed to attend the Ontario Municipal Board Hearing in support of the recommendations contained in this report and the Conditions of Draft Approval identified in Attachment #1 for Draft Plan of Condominium (Common Elements) File 19CDM-16V001 (Ravines of Islington Encore Inc.).

Background

The subject lands are located on east side of Islington Avenue, south of Langstaff Road, and are municipally known as 8451 and 8457 Islington Avenue. The subject lands and surrounding land uses are shown on Attachments #2 and #3.

Previous Reports/Authority

[November 21, 2017, Committee of the Whole \(Item 1, Report No. 39, Recommendations 1 to 3\)](#)

[April 19, 2016, Committee of the Whole \(Public Hearing\) \(Item 2, Report No. 19\)](#)

Analysis and Options

The Owner has submitted Draft Plan of Condominium (Common Elements) File 19CDM-16V001 to establish the condominium tenure for the common elements of an Ontario Municipal Board (OMB) approved residential development consisting of 36, 3-storey townhouse dwelling units on lots with their frontage on a private common element condominium road. The common elements for the development include a private road, sidewalks, 9 visitor parking spaces, an amenity area, and may include retaining walls and subsurface infrastructure.

The Draft Plan of Condominium (Common Element) implements the condominium tenure for a townhouse development approved by the Ontario Municipal Board

On March 7, 2018, the OMB rendered an Oral Decision approving the related Official Plan Amendment and Zoning By-law Amendment Files OP.16.005 and Z.15.035 to facilitate the townhouse development. The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), Volume 2 - Woodbridge Centre Secondary Plan (WCSP), which permits townhouse dwelling units. The subject lands are zoned RM2 Multiple Residential Zone and OS1 Open Space Conservation Zone, subject to site-specific Exception 9(782), by Zoning By-law 1-88. The OMB approved townhouse development conforms with VOP 2010 and complies with Zoning By-law 1-88.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 4

On March 7, 2018, the OMB conditionally approved the related Site Development File DA.15.085 to permit a townhouse development consisting of 36, 3-storey townhouse dwelling units, as shown on Attachment #5. All of the proposed townhouse units front onto a private common element condominium road to be managed by a future Condominium Corporation. The proposed common element condominium road includes one all-moves access driveway to Islington Avenue, which connects to a common element condominium road for the abutting townhouse development located to the north of the subject lands (Ravines of Islington Phase I), municipally known as 8469 Islington Avenue.

The proposed Draft Plan of Condominium (Common Elements) shown on Attachment #4, is required to create condominium tenure for the common elements that include the private road, sidewalks, 9 visitor parking spaces, an amenity area, and may include retaining walls and subsurface infrastructure. The proposed Draft Plan of Condominium (Common Elements) is consistent with the OMB approved site plan shown on Attachment #5.

The Owner will be required to submit a future Part Lot Control Exemption application to the Development Planning Department to create the 36 freehold lots within the development.

The Development Engineering Department has no objection to the proposed Draft Plan of Condominium (Common Elements), subject to conditions

The Development Engineering (DE) Department has reviewed the proposed Draft Plan of Condominium (Common Elements) and advise they have no objection to it's approval, subject to the conditions set out in the Recommendation section of this report and in Attachment #1. The DE Department may require an updated Draft Plan of Condominium (Common Elements) which identifies all parcels of tied land (POTLs), including but not limited to all retaining walls and subsurface infrastructure that forms part of the common elements of the future Condominium Corporation. These POTLs must also be identified within the Condominium Agreement and declaration.

Prior to the Owner carrying out and constructing the works relating the Site Plan Agreement and the related Site Development File DA.15.085 (Ravines of Islington Encore Inc.), the Owner shall provide to the DE Department written confirmation from a Professional Engineer (as defined by the *Professional Engineers Act*, R.S.O. 1990, c.P.28, as amended) confirmation that the construction and alignment of any of the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 5

retaining walls will not encroach into any abutting properties. Should encroachments onto the neighbouring properties be required for construction purposes, the Owner must obtain written consent from the abutting property Owner(s) in a form satisfactory to the City. A condition to this effect is included in Attachment #1.

As part of the servicing plan for the subject lands, the Owner is proposing a storm sewer design that alters the existing conveyance of storm sewer discharge of the abutting lands to the north (8469 Islington Avenue), which is under the ownership of YRCC No. 1242. In order to implement and construct this storm sewer design, the Owner must obtain permission from YRCC No. 1242 for access onto their land holdings to complete the engineering works and redirect their storm flow. The Owner will be required to provide to the City either written consent from YRCC No. 1242 confirming that such construction works can be carried out on its lands; or an opinion letter from a solicitor confirming that the Owner has the legal ability to carry out those works, in wording satisfactory to the City. A condition to this effect is included in Attachment #1.

In order to implement the mutual access connection between the subject lands and the abutting lands to the north, municipally known as 8469 Islington Avenue, to permit pedestrian and vehicular ingress and egress, and for the passing of underground services and utilities, the Owner will be required to provide easements in favour of the YRCC No. 1242 land holdings. A condition to this effect is included in Attachment #1. Easements in favour of the subject lands over the YRCC No. 1242 land holdings are already in place as part of that condominium corporation's Condominium Agreement.

In addition to the above, the Owner shall be required to enter into an agreement respecting the conveyance easements with the City for a portion of the proposed storm sewer on the subject lands that will discharge storm flow from the abutting lands to the south, municipally known as 8441 Islington Avenue (also referred to as "YRCC No. 1209"), towards the subject lands via Islington Avenue to the satisfaction of the City. A portion of this storm sewer shall be identified as a common element for the subject lands, and the future Condominium Corporation shall be required to maintain all the storm sewer within the subject lands in perpetuity at no cost to the City of Vaughan or YRCC No. 1209.

The proposed garbage/recycling collection may be eligible for municipal waste collection services or shall be the responsibility of the Condominium Corporation

The Environmental Services Department, Solid Waste Management Division has reviewed the proposed Draft Plan of Condominium (Common Elements) and advise

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 6

they have no objection, subject to their Conditions of Draft Approval identified in Attachment #1. The Environmental Services Department, Solid Waste Management Division advise that upon a successfully completed application, site inspection and the execution and registration of an Agreement with the City, the future Condominium Corporation may be eligible for municipal waste collection services, however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.

The Parks Development Department has no objection to the proposed Draft Plan of Condominium (Common Elements) subject to their Conditions of Draft Approval

The Parks Development Department has reviewed the proposed Draft Plan of Condominium (Common Elements) and advise they have no objection, subject to their Conditions of Draft Approval identified in Attachment #1. The Parks Development Department advises that the Owner must fulfill their Parkland Dedication obligations to the City in accordance with the City's Cash-in-Lieu of Parkland Policy and the *Planning Act*; provide an easement in favour of the City of Vaughan (for maintenance purposes) to help facilitate a future multi-use recreational pathway that runs north and south along the Humber River Valley corridor in accordance with the City of Vaughan Pedestrian and Bicycle Master Plan; and provide the following warning clause within the Condominium Agreement for the residential lots abutting or adjacent to the open space:

“Owners and/or tenants/lessees are advised for residential properties abutting or adjacent to an open space area, that this area may be programmed in the future with a multi-use recreational pathway, which may be programmed with active uses that include noise, lighting from the use of trails, and from operations and maintenance of the area. The Open Space area may be designed for naturalization and may receive minimal maintenance.”

The Financial Planning and Development Finance Department have no objection to the proposed development subject to their Conditions of Draft Approval

The Financial Planning and Development Finance Department advise that prior to final approval, the Owner shall confirm to the Development Planning Department that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required by the Financial Planning and Development Finance Department. The Owner also certifies

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 7

acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Agreement, if required, until each unit covered under the Condominium Agreement is separately assessed. A condition to this effect is included in Attachment #1.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

York Region has no objection to the proposed development subject to their Conditions of Draft Approval

The York Region Community Planning and Development Services Department has reviewed Draft Plan of Condominium (Common Elements) File 19CDM-16V001 and advise they have no objection to its approval, subject to their Conditions of Draft Approval identified in Attachment #1.

The Toronto and Region Conservation Authority (TRCA) have no objection to the proposed development subject to their Conditions of Draft Approval

The TRCA have reviewed Draft Plan of Condominium (Common Elements) File 19CDM-16V001 and advise they have no objection to its approval, subject to their Conditions of Draft Approval identified in Attachment #1.

Canada Post has no objection to the proposed development subject to their Conditions of Draft Approval

Canada Post has reviewed Draft Plan of Condominium (Common Elements) File 19CDM-16V001 and advise they have no objection to its approval, subject to their Conditions of Draft Approval identified in Attachment #1.

The various utilities have no objection to the proposed development subject to their Conditions of Draft Approval

Enbridge Gas, Hydro One, Bell Canada and Alectra Utilities Corporation have no objection to the approval of Draft Plan of Condominium (Common Elements) File 19CDM-16V001, subject to their Conditions of Draft Approval identified in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 7, CW Report No. 14 – Page 8

Conclusion

The proposed Draft Plan of Condominium (Common Elements) File 19CDM-16V001 conforms to VOP 2010, complies with Zoning By-law 1-88, and is consistent with the OMB approved Site Development File DA.15.085. Accordingly, the Development Planning

Department can support the approval of the Draft Plan of Condominium (Common Elements), subject to the conditions set out in the recommendation section of this report and in Attachment #1.

For more information, please contact Diana DiGirolamo, Planner, Extension 8860.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium (Common Elements) (File 19CDM-16V001)
5. Approved Site Plan (File DA.15.085)

Prepared by

Diana DiGirolamo, Planner, ext. 8860

Mary Caputo, Senior Planner, ext. 8635

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

(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.)