

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 15, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

**15 DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-14V001
 WOODBRIDGE CROSSING LTD.
 WARD 2 - VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated June 17, 2014:

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-14V001 (Woodbridge Crossing Ltd.) BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

This proposal addresses the tenure of the property only, and therefore, there is no contribution to sustainability through this application.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On April 4, 2014, a Notice of Public Hearing regarding Draft Plan of Condominium (Common Elements) File 19CDM-14V001 was circulated to all property owners within 150 m of the subject lands, and to those individuals that had requested notification. A copy of the Notice of Public Hearing was posted on the City's website at www.vaughan.ca and a Notice sign was installed on the property. The recommendation of the Committee of the Whole to receive the Public Hearing report of April 29, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 6, 2014.

Purpose

To seek approval from the Committee of the Whole of Draft Plan of Condominium (Common Elements) File 19CDM-14V001 respecting the subject lands shown on Attachments #2 and #3, to facilitate the development of 53 freehold townhouse dwelling units. The proposed condominium common elements consists of a private road, 12 visitor parking spaces, a landscaped buffer/berm, walkways and a pedestrian trail (subject to a public easement), as shown on Attachment #4.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located west of Kipling Avenue, south of the Canadian Pacific Railway line, opposite Porter Avenue East, City of Vaughan. The surrounding land uses are shown on Attachment #3.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 15, CW Report No. 30 – Page 2

Official Plan and Zoning

The subject lands are designated “High Density Residential Neighbourhood”, “Mid Density Residential Neighbourhood” and “Public Square” by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study), which permits the proposed townhouse development.

The subject lands are designated “Low-Rise Residential C”, “Mid Rise Residential” and “Parks and Public Squares” by Vaughan Official Plan 2010 (VOP 2010), Volume 2 - Section 1.5, which permits the proposed development, but is not in-effect for the subject lands. The proposal conforms to VOP 2010, as adopted by Vaughan Council.

The subject lands are zoned RM2 Multiple Residential Zone and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1386), as shown on Attachment #3. The proposed development complies with Zoning By-law 1-88, as amended. The surrounding land uses are shown on Attachment #3.

Site Plan

Site Development File DA.12.060 was approved by Vaughan Council on April 23, 2013, subject to conditions to be satisfied by the owner. The approved site plan is shown on Attachment #5. The subject lands are bounded by an existing industrial use to the west (Woodbridge Foam), the Canadian Pacific Railway (CPR) line and Kipling Avenue to the east and future Porter Avenue West (existing private driveway) to the south. A CPR/Kipling Avenue level crossing is located north of the property as shown on Attachment #3. Draft Plan of Condominium File 19CDM-14V001 is consistent with the approved Site Development File DA.12.060.

The proposed common element condominium is required for the private road, 12 visitor parking spaces, a landscaped buffer/berm and walkways, and a trail as shown on Attachment #4. The public trail (Block 2) is to be in the ownership of the future condominium corporation and will be subject to a public easement for access and maintenance purposes in favour of the City of Vaughan. In addition, the buffer/berm block (Block 6), which includes approved fencing, will be owned and maintained by the future condominium corporation. Accordingly, the condominium agreement and declaration shall include the appropriate clauses respecting the easement and the maintenance of Blocks 2 and 6 to the satisfaction of the City of Vaughan. The appropriate clauses shall also be included in all offers of purchase and sale or lease. A condition to this effect is included in Attachment #1.

Garbage/Recycling Collection and Snow Removal

Snow removal and garbage and recycling pick-up (3 stream) will be privately administered and the responsibility of the Condominium Corporation.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has reviewed the condominium application and has no objections to its approval subject to conditions in Attachment #1.

Vaughan Parks Development Department

The Vaughan Parks Development Department has advised that Block 2, as shown on Attachment #4, is a proposed trail subject to a public easement in favour of the City of Vaughan, and to be used by the public as a pedestrian walkway. The condominium development is required to allow a publicly accessible pedestrian connection to be registered on title for these lands without

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 15, CW Report No. 30 – Page 3

disturbance in perpetuity. The maintenance and operations of this Block shall be the responsibility of the condominium corporation as outlined in Attachment #1. The condominium corporation will be responsible for all required maintenance works and associated capital improvements for Block 2, which would include but is not limited to the site furnishing, pedestrian lighting, hardscape and associated landscape works. The condominium corporation is to perform regular maintenance to ensure that the pedestrian path is accessible and safe for public use.

Canada Post Corporation

Canada Post has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1.

Related Part Lot Control Application

The owner has submitted related Part Lot Control File PLC.14.005 to facilitate the creation of 53 individual freehold lots for the proposed townhouse dwelling units as shown on Attachment #4. The proposed lots (frontage, area and depth) comply with the RM2 Multiple Residential Zone and the approved site plan.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiative set forth in the Vaughan Vision 2020/Strategic Plan:

i. Plan and Manage Growth and Economic Well-Being

The proposal implements the City's current Official Plan and the Growth Management Strategy as set out in Vaughan Official Plan 2010.

Regional Implications

The York Region Transportation and Community Planning Department has no objection to the approval of Draft Plan of Condominium File 19CDM-14V001.

Conclusion

The Vaughan Planning Department has reviewed the Draft Plan of Condominium Application, which conforms to the Official Plan, complies with Zoning By-law 1-88, and is consistent with the site plan approved by Vaughan Council. The Vaughan Planning Department has no objection to the approval of the Draft Plan of Condominium (Common Elements), subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium (Common Elements) File 19CDM-14V001
5. Approved Site Plan File DA.12.060

Report prepared by:

Brandon Correia, Planner 1, ext. 8634
Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791

(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.)

COMMITTEE OF THE WHOLE JUNE 17, 2014

DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-14V001 WOODBIDGE CROSSING LTD. WARD 2 - VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-14V001 (Woodbridge Crossing Ltd.) BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

This proposal addresses the tenure of the property only, and therefore, there is no contribution to sustainability through this application.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On April 4, 2014, a Notice of Public Hearing regarding Draft Plan of Condominium (Common Elements) File 19CDM-14V001 was circulated to all property owners within 150 m of the subject lands, and to those individuals that had requested notification. A copy of the Notice of Public Hearing was posted on the City's website at www.vaughan.ca and a Notice sign was installed on the property. The recommendation of the Committee of the Whole to receive the Public Hearing report of April 29, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 6, 2014.

Purpose

To seek approval from the Committee of the Whole of Draft Plan of Condominium (Common Elements) File 19CDM-14V001 respecting the subject lands shown on Attachments #2 and #3, to facilitate the development of 53 freehold townhouse dwelling units. The proposed condominium common elements consists of a private road, 12 visitor parking spaces, a landscaped buffer/berm, walkways and a pedestrian trail (subject to a public easement), as shown on Attachment #4.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located west of Kipling Avenue, south of the Canadian Pacific Railway line, opposite Porter Avenue East, City of Vaughan. The surrounding land uses are shown on Attachment #3.

Official Plan and Zoning

The subject lands are designated "High Density Residential Neighbourhood", "Mid Density Residential Neighbourhood" and "Public Square" by in-effect OPA #240 (Woodbridge

Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study), which permits the proposed townhouse development.

The subject lands are designated "Low-Rise Residential C", "Mid Rise Residential" and "Parks and Public Squares" by Vaughan Official Plan 2010 (VOP 2010), Volume 2 - Section 1.5, which permits the proposed development, but is not in-effect for the subject lands. The proposal conforms to VOP 2010, as adopted by Vaughan Council.

The subject lands are zoned RM2 Multiple Residential Zone and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1386), as shown on Attachment #3. The proposed development complies with Zoning By-law 1-88, as amended. The surrounding land uses are shown on Attachment #3.

Site Plan

Site Development File DA.12.060 was approved by Vaughan Council on April 23, 2013, subject to conditions to be satisfied by the owner. The approved site plan is shown on Attachment #5. The subject lands are bounded by an existing industrial use to the west (Woodbridge Foam), the Canadian Pacific Railway (CPR) line and Kipling Avenue to the east and future Porter Avenue West (existing private driveway) to the south. A CPR/Kipling Avenue level crossing is located north of the property as shown on Attachment #3. Draft Plan of Condominium File 19CDM-14V001 is consistent with the approved Site Development File DA.12.060.

The proposed common element condominium is required for the private road, 12 visitor parking spaces, a landscaped buffer/berm and walkways, and a trail as shown on Attachment #4. The public trail (Block 2) is to be in the ownership of the future condominium corporation and will be subject to a public easement for access and maintenance purposes in favour of the City of Vaughan. In addition, the buffer/berm block (Block 6), which includes approved fencing, will be owned and maintained by the future condominium corporation. Accordingly, the condominium agreement and declaration shall include the appropriate clauses respecting the easement and the maintenance of Blocks 2 and 6 to the satisfaction of the City of Vaughan. The appropriate clauses shall also be included in all offers of purchase and sale or lease. A condition to this effect is included in Attachment #1.

Garbage/Recycling Collection and Snow Removal

Snow removal and garbage and recycling pick-up (3 stream) will be privately administered and the responsibility of the Condominium Corporation.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has reviewed the condominium application and has no objections to its approval subject to conditions in Attachment #1.

Vaughan Parks Development Department

The Vaughan Parks Development Department has advised that Block 2, as shown on Attachment #4, is a proposed trail subject to a public easement in favour of the City of Vaughan, and to be used by the public as a pedestrian walkway. The condominium development is required to allow a publicly accessible pedestrian connection to be registered on title for these lands without disturbance in perpetuity. The maintenance and operations of this Block shall be the responsibility of the condominium corporation as outlined in Attachment #1. The condominium corporation will be responsible for all required maintenance works and associated capital improvements for Block 2, which would include but is not limited to the site furnishing, pedestrian lighting, hardscape and associated landscape works. The condominium corporation is to perform regular maintenance to ensure that the pedestrian path is accessible and safe for public use.

Canada Post Corporation

Canada Post has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1.

Related Part Lot Control Application

The owner has submitted related Part Lot Control File PLC.14.005 to facilitate the creation of 53 individual freehold lots for the proposed townhouse dwelling units as shown on Attachment #4. The proposed lots (frontage, area and depth) comply with the RM2 Multiple Residential Zone and the approved site plan.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiative set forth in the Vaughan Vision 2020/Strategic Plan:

i. Plan and Manage Growth and Economic Well-Being

The proposal implements the City's current Official Plan and the Growth Management Strategy as set out in Vaughan Official Plan 2010.

Regional Implications

The York Region Transportation and Community Planning Department has no objection to the approval of Draft Plan of Condominium File 19CDM-14V001.

Conclusion

The Vaughan Planning Department has reviewed the Draft Plan of Condominium Application, which conforms to the Official Plan, complies with Zoning By-law 1-88, and is consistent with the site plan approved by Vaughan Council. The Vaughan Planning Department has no objection to the approval of the Draft Plan of Condominium (Common Elements), subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium (Common Elements) File 19CDM-14V001
5. Approved Site Plan File DA.12.060

Report prepared by:

Brandon Correia, Planner 1, ext. 8634
Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Interim Director of Planning, and
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM FILE (COMMON ELEMENTS) FILE 19CDM-14V001
WOODBIDGE CROSSINGS LTD.
PART OF LOTS 8 AND 9, CONCESSION 8, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM FILE 19CDM-14V001, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Rady-Pentek & Edward Surveying Ltd., drawing #12-163, dated February 20, 2014.
2. Prior to the execution of the condominium agreement, the owner shall submit a pre-registered plan of condominium to the Vaughan Planning Department.
3. The owner shall enter into a condominium agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development in accordance with the Vaughan Council approved Site Development File DA.12.060 and any other matters that the City may consider necessary that may be outstanding from the site plan process.
4. The following provisions shall be included in the condominium agreement:
 - a) the condominium corporation shall be responsible to regularly clean and maintain all driveway catch basins;
 - b) snow removal and clearing, and garbage and recycling pick-up shall be privately administered and shall be the responsibility of the condominium corporation;
 - c) the owner or future condominium corporation shall maintain ownership of Block 6 (berm and including a noise fence), and Block 2 (trail) with necessary easements over Block 2 to be granted in favour of the City of Vaughan; and,
 - d) the owner or condominium corporation shall include in the Condominium Agreement and Declaration, the appropriate warning clauses respecting the public easement on the subject lands (over Block 2) for use by the general public and the condominium corporation responsibility for the maintenance of Block 2 (the pedestrian public trail) and the maintenance of Block 6 (the buffer/berm and fence), to the satisfaction of the City of Vaughan.
5. The condominium agreement shall be registered on title against the lands to which it applies, at the cost of the owner.
6. Prior to final approval, the owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.

7. Prior to final approval, the owner and their solicitor and land surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
8. Prior to final approval, the owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Financial Planning and Analytics Department.
9. Prior to the registration of the final condominium agreement, the site plan agreement must be registered on title to the satisfaction of the City of Vaughan.
10. Prior to the issuance of an Occupancy Permit by the City of Vaughan, the owner shall make arrangements to acquire and convey lands external to the Plan to form part of the Porter Avenue West right-of-way. The conveyance of the lands by the owner shall be free of encumbrances, without payment, and at no cost to the City in accordance with the approved Construction Drawings and to the satisfaction of the Development/Transportation Engineering Department.
11. Prior to issuance of an Occupancy Permit by the City of Vaughan, the owner shall arrange to prepare and register a reference plan at the owner's expense for the conveyance of the required road allowance to the satisfaction of the Vaughan Development/Transportation Engineering Department.
12. Prior to the issuance of an Occupancy Permit by the City of Vaughan, the City shall pass a By-law dedicating the road allowance as public highway to the satisfaction of the Vaughan Development/Transportation Engineering Department. The owner shall pay the cost of the registration of the road dedication by-law to the City of Vaughan, Clerks Department.

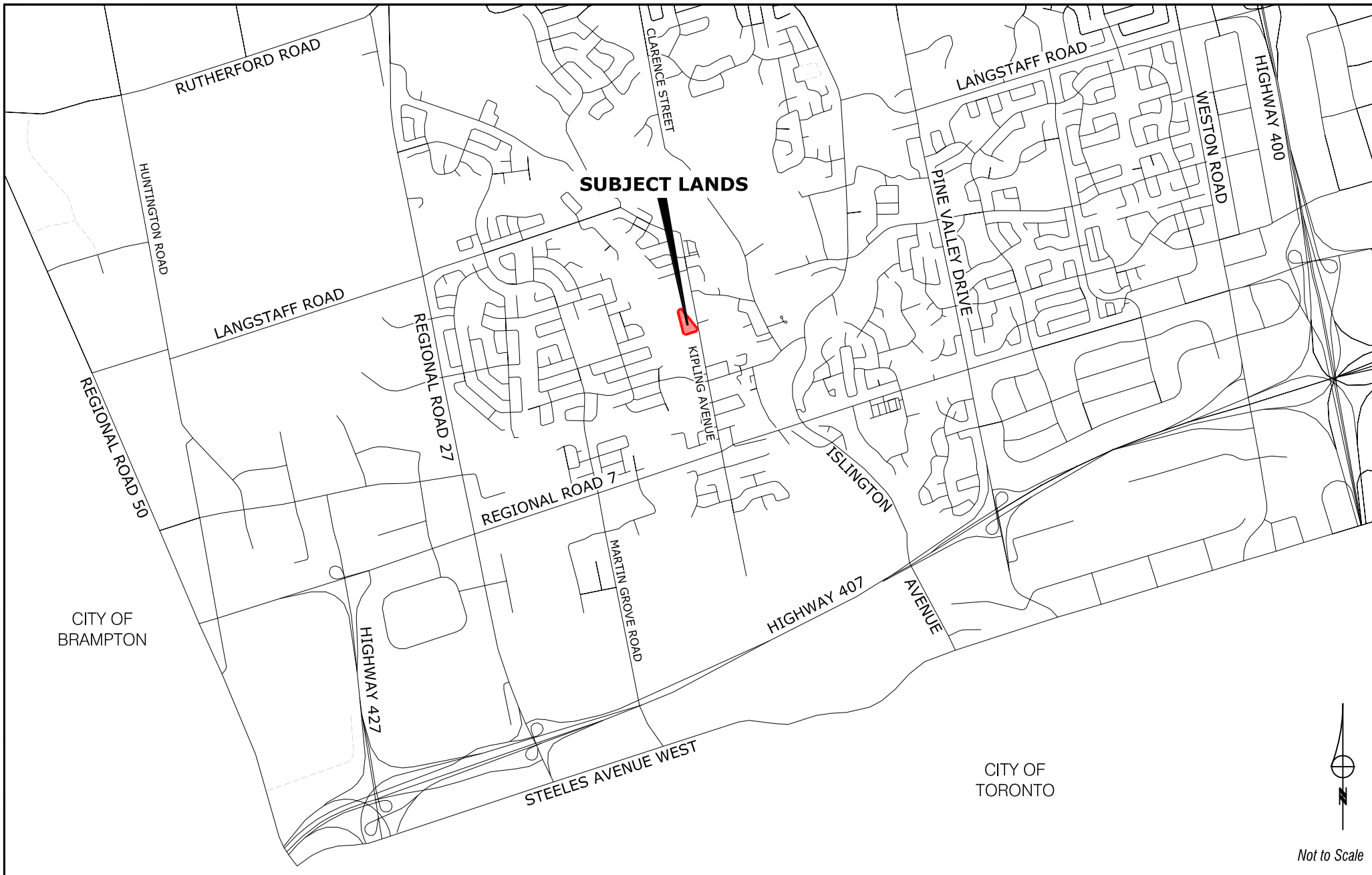
Canada Post Conditions

13. The owner shall address the following conditions of Canada Post:
 - a) the owner shall include in all offers of sale, a statement which advises the prospective unit owner or renter that mail delivery will be from a designated community mailbox;
 - b) the owner shall be responsible for notifying the renter/owner of the exact community mailbox locations prior to the closing of any lease;
 - c) the owner shall consult with Canada Post to determine suitable locations for the placement of a community mailbox and to indicate these locations on the appropriate servicing plan;
 - d) the owner will provide the following for each community mailbox site and include these requirements on the appropriate servicing plans:
 - i. an appropriately sized walkway section (concrete pad) as per municipal standards, to place the community mailboxes on;
 - ii. any required walkway across the boulevard, as per municipal standards; and,

- iii. any required curb depressions for wheelchair access;
- e) the owner further agrees to determine and provide a suitable temporary community mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalk and final grading have been completed at the permanent community box location(s). This will enable Canada Post to provide mail delivery to new owners as soon as the units are occupied.

Clearances

- 14. The Vaughan Planning Department shall advise that Conditions 1 to 12 have been satisfied.
- 15. Canada Post shall advise in writing to the Vaughan Planning Department that Condition 13 has been satisfied.



Context Location Map

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

N:\DFT\1 ATTACHMENTS\19\19cdm-14v001.dwg

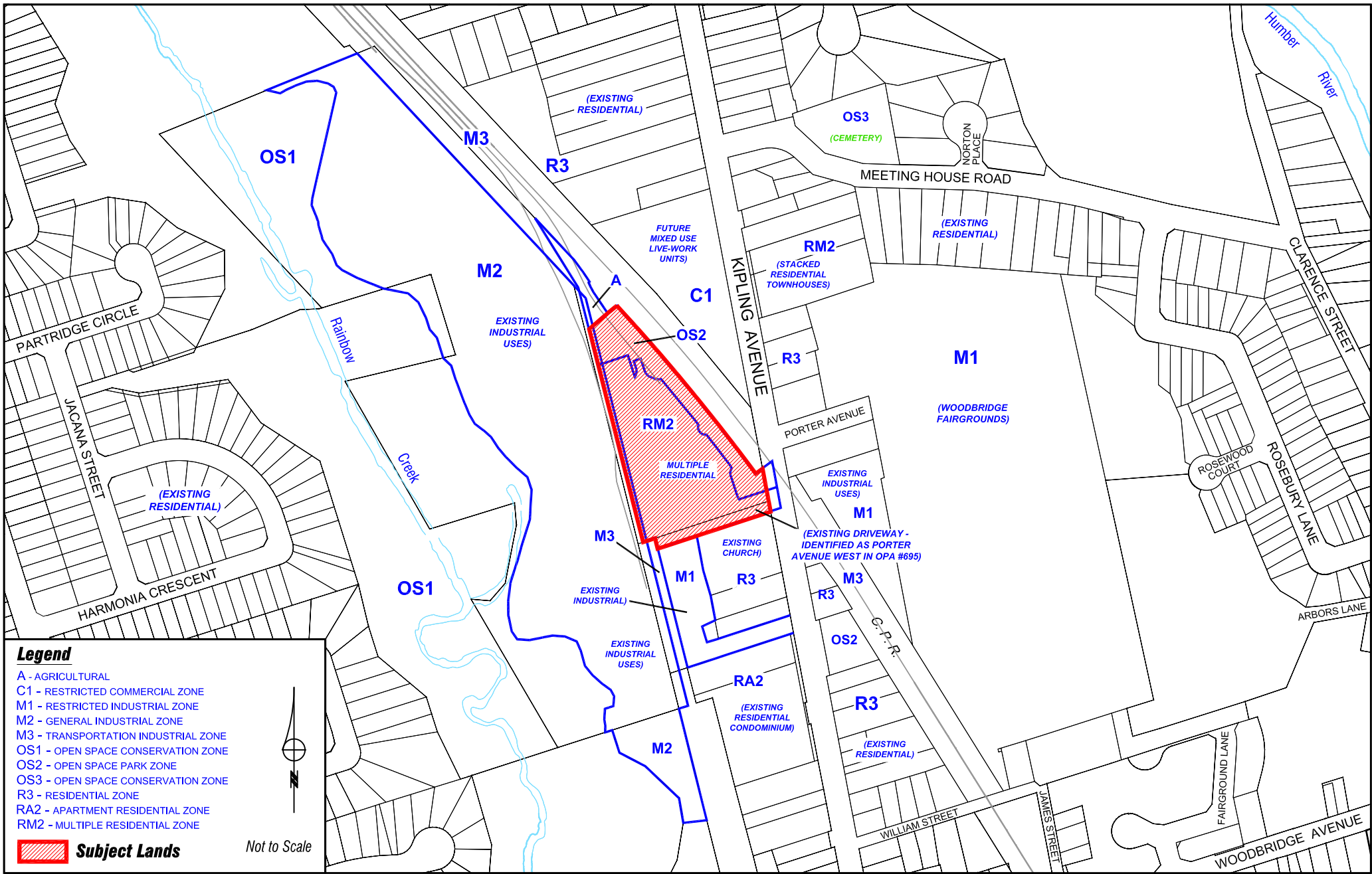


Attachment

File: 19CDM-14V001
Related File(s): Z.12.014, DA.12.060, 19T-12V004

Date:
June 17, 2014

2



Location Map

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

N:\DFT\1 ATTACHMENTS\19\19cdm-14v001.dwg

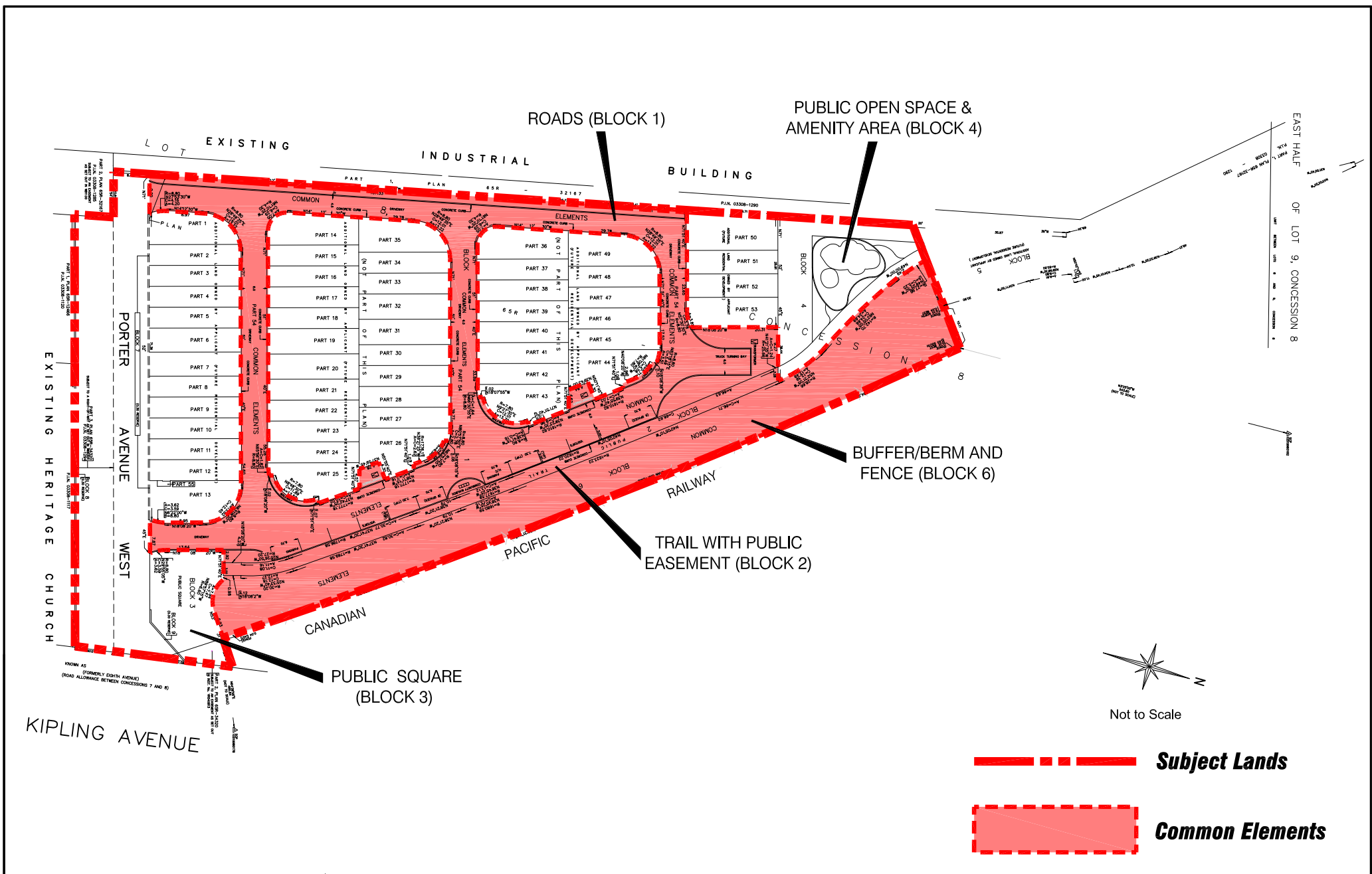


Attachment

File: 19CDM-14V001
Related File(s): Z.12.014, DA.12.060, 19T-12V004

Date:
June 17, 2014

3



Draft Plan of Condominium (Common Elements) File 19CDM-14V001

Applicant: Woodbridge Crossing Ltd.
Location: Part of Lots 8 & 9, Concession 8



Attachment

File: 19CDM-14V001
Related File(s): Z.12.014, DA.12.060, 19T-12V004

Date: June 17, 2014

4

EXISTING INDUSTRIAL BUILDING

RM2

OS2

CPR RAILWAY

PUBLIC OPEN SPACE
AMENITY AREA

PEDESTRIAN TRAIL
(IN PRIVATE OWNERSHIP,
SUBJECT TO A PUBLIC
EASEMENT)

FENCE

BUFFER /
BERM BLOCK

Not to Scale



SUBJECT LANDS



VAUGHAN
Development Planning
Department

Attachment

File: 19CDM-14V001

Related File(s): Z.12.014, DA.12.060, 19T-12V004

Date:

June 17, 2014

Location: Part of Lots 8 & 9,
Concession 8

N:\DFT\1 ATTACHMENTS\19\19cdm-14v001.dwg