

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 30, 2012

Item 16, Report No. 39, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 30, 2012.

**16 DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-11V008
 AQUATELLA FALLS HOMES LTD.
 WARD 1 – VICINITY OF KEELE STREET AND FIELDGATE DRIVE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated October 16, 2012:

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-11V008 (Aquatella Falls Homes Ltd.) as shown on Attachments #4 and #5, BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

The subject lands have been developed in accordance with Site Development File DA.06.007 that was approved by Vaughan Council on June 8, 2010, and the contribution to sustainability was identified at that time. The subject condominium application 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

N/A

Purpose

The Owner has submitted Draft Plan of Condominium (Standard) File 19CDM-11V008 (Aquatella Falls Home Ltd.) for the subject lands shown on Attachments #2 and #3, for a 2 and 3-storey residential apartment building consisting of 22 residential units and a total gross floor area of 2,137 m², as shown on Attachments #4 and #5.

Background - Analysis and Options

Location

The subject lands are located on the east side of Keele Street, between Rutherford Road and Major Mackenzie Drive (municipally known as 9589 Keele Street), City of Vaughan, as shown on Attachments #2 and #3. The surrounding lands uses are shown on Attachment #3.

Official Plan and Zoning

The subject lands are designated "Low Density Residential" (tableland) with a small portion of the loading area encroaching into the "Open Space" designation (see Attachment #4) by in-effect OPA #350 (Maple Community Plan), as amended by site-specific in-effect OPA #711. The subject lands are also designated "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan

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2010, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 12, 2012 and April 17, 2012) and is pending approval from the Ontario Municipal Board. The proposed draft plan of condominium conforms to the Official Plans.

The subject lands are zoned RA2 Apartment Residential Zone (tableland) with a small portion of the loading area encroaching into the OS1 Open Space Conservation Zone (see Attachment #4) by Zoning By-law 1-88, subject to Exception 9(1339). The proposed draft plan of condominium complies with Zoning By-law 1-88, as amended, except for the proposed dimension of the parking spaces discussed later in this report.

Site Plan

The site is developed with a 2 and 3-storey, 22 unit, residential apartment building. The residential building is situated on 0.211 ha of tableland, and backs onto a tributary of the Don River. The property is accessed from Keele Street by a 7.5 m wide driveway at the north end of the site that leads to a parking area located below grade, which accommodates 28 parking spaces, of which 6 spaces are tandem. The garbage and recycling storage area is located in the underground area. The draft plan of condominium is in accordance with the approved site plan shown on Attachment #6.

During construction, minor changes occurred to the Keele Street elevation, the front landscape layout, and the underground parking area resulting in 27 parking spaces that are deficient in size. One parking space has dimensions of 2.4m x 5.8m and 26 spaces are 2.5m x 5.8m in size (compared to By-law 1-88 requirement of 2.7m x 6m) as shown on Attachment #5. The Applicant has submitted Site Development File DA.12.078 to maintain the elevation and landscape changes and Minor Variance File A301/12 to permit the reduced parking space sizes. Given the subject lands are located within the Maple Heritage Conservation District, the amended elevations require approval from the Heritage Vaughan Committee. Conditions requiring the Site Development and Minor Variance Applications to be approved prior to the registration of the Condominium Plan are included within Attachment #1.

In addition, a portion of the loading area, constructed of permeable pavers, is situated within lands that are zoned OS1 Open Space Conservation Zone, and are not included as part of the Draft Plan of Condominium lands, as shown on Attachment #4. The Owner, however, has advised that the loading area will be maintained by the Condominium Corporation. The Owner has agreed to enter into an Encroachment Agreement with the City for the maintenance and liability of this portion of the loading area. A condition to this effect has been included within Attachment #1.

Garbage/Recycling Collection and Snow Removal

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

Toronto and Region Conservation Authority

The application was circulated to the Toronto and Region Conservation Authority (TRCA) for review and comment. The TRCA has no objection to the approval of Draft Plan of Condominium 19CDM-11V008.

Canada Post

Canada Post has no objections to the approval of Draft Plan of Condominium 19CDM-11V008, subject to the inclusion of a condition in the Condominium Agreement as identified in Attachment #1.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

Regional Implications

The application was circulated to the Region of York for review and comment. The Region has no objection to the approval of Draft Plan of Condominium File 19CDM-11V008.

Conclusion

The Vaughan Development 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 approved site plan, subject to the reduced parking space sizes and revisions to the building elevations and landscaping being addressed in the manner discussed in this report. Accordingly, the Development Planning Department has no objection to the approval of the draft plan of condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium (Standard) File 19CDM-11V008
5. Draft Plan of Condominium (Standard) File 19CDM-11V008 – Underground Parking Plan
6. Approved Site Plan

Report prepared by:

Mary Caputo, Planner, ext. 8215
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(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 OCTOBER 16, 2012

DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-11V008 AQUATELLA FALLS HOMES LTD. WARD 1 – VICINITY OF KEELE STREET AND FIELDGATE DRIVE

Recommendation

The Commissioner of Planning recommends:

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Economic Impact

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

Communications Plan

N/A

Purpose

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Canada Post

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The application was circulated to the Region of York for review and comment. The Region has no objection to the approval of Draft Plan of Condominium File 19CDM-11V008.

Conclusion

The Vaughan Development 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 approved site plan, subject to the reduced parking space sizes and revisions to the building elevations and landscaping being addressed in the manner discussed in this report. Accordingly, the Development Planning Department has no objection to the approval of the draft plan of condominium, subject to the conditions set out in Attachment #1.

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Report prepared by:

Mary Caputo, Planner, ext. 8215
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEHAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL
DRAFT PLAN OF CONDOMINIUM (STANDARD) 19CDM-11V008
AQUATELLA FALLS HOMES LTD.
LOT 18, CONCESSION 3, 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 19CDM-11V008, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Schaeffer Dzaldov Bennett Ltd., Job No. 10-108-01, dated August 24, 2012.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered plan of condominium to the Vaughan Development Planning Department.
3. Prior to final approval, the Owner must enter into an Encroachment Agreement with the City of Vaughan for the portion of the loading area located within the lands zoned OS1 Open Space Conservation Zone to the satisfaction of the City Solicitor.
4. The Condominium Declaration shall include a maintenance and liability clause with respect to the portion of the loading area located within the lands zoned OS1 Open Space Conservation Zone.
5. Prior to final approval of the Condominium Plan, Site Development File DA.12.078 shall be approved by the Development Planning Department and the Heritage Vaughan Committee, to address the as-built situation with respect to the front landscaping and building elevation.
6. Prior to final approval of the Condominium Plan, Minor Variance File A301/12 to permit reduced parking space dimensions shall be approved by the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding.
7. 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 and any other matters that the City may consider necessary, and that may be outstanding from Site Development File DA.06.007.
8. The following provisions shall be included in the Condominium Agreement:
 - a) the Owner/Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
 - b) private garbage and recycling pick-up shall be the responsibility of the Owner/Condominium Corporation; and,
 - c) snow removal and clearing shall be the responsibility of the Owner/Condominium Corporation.
9. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
10. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.

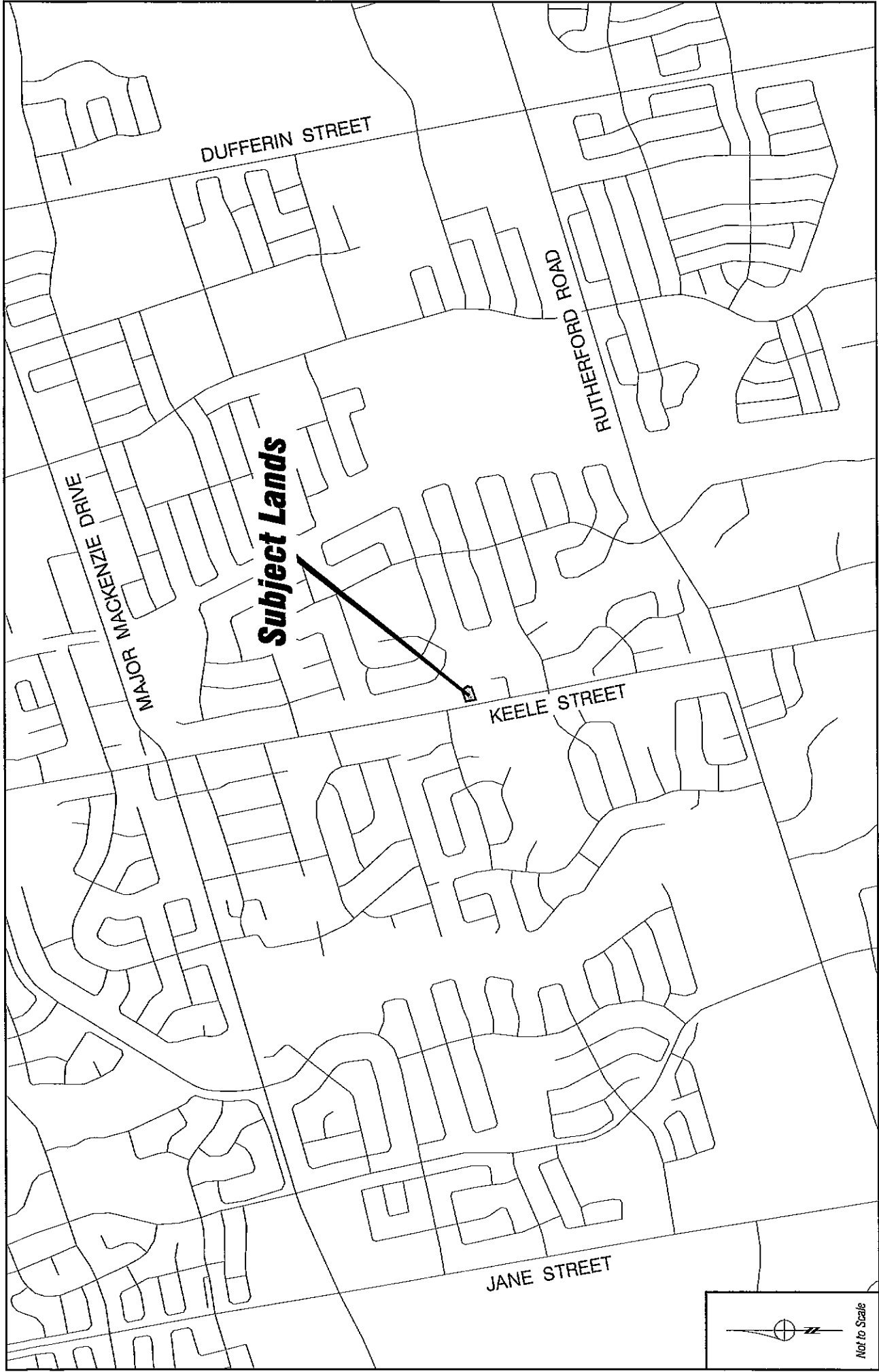
11. Prior to final approval, the Owner and their Solicitor shall confirm in writing to the Development Planning Department that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
12. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Finance Department.

Canada Post Condition

13. The Owner/Condominium Corporation shall supply, install, and maintain all mail equipment to the satisfaction of Canada Post.

Clearances

14. The City (Vaughan Development Planning Department) shall advise that Conditions 1 to 12 have been satisfied.
15. Canada Post Corporation shall advise the Vaughan Development Planning Department in writing that Condition #13 has been satisfied.



Context Location Map

LOCATION:
Part of Lot 18, Concession 3

APPLICANT:
Aquatella Falls Homes Ltd.



Attachment

FILE: 19CDM-11V008
RELATED FILES: DA.06.007, Z.06.006, OP.06.003

DATE:
September 13, 2012

2



Legend

- R1 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RA2 - APARTMENT RESIDENTIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- Subject Lands**
(Vacant)

Not to Scale

Location Map

LOCATION:
Part of Lot 18, Concession 3

APPLICANT:
Aquatella Falls Homes Ltd.



Attachment

3

FILE: 19CDM-11V008
RELATED FILES: DA.06.007, Z.06.006, OP.06.003

DATE:
September 13, 2012

LOADING AREA LOCATED IN THE OS1 OPEN SPACE CONSERVATION ZONE LANDS

PART 3 VACANT 65R-32558

CONCESSION

UNIT 1 1ST FLOOR PORTION

UNIT 2 1ST FLOOR PORTION

UNIT 3 1ST FLOOR PORTION

UNIT 4 1ST FLOOR PORTION

UNIT 5 1ST FLOOR PORTION

UNIT 6 1ST FLOOR PORTION

UNIT 7 1ST FLOOR PORTION

UNIT 8 1ST FLOOR PORTION

UNIT 9 1ST FLOOR PORTION

UNIT 10 1ST FLOOR PORTION

UNIT 11 1ST FLOOR PORTION

UNIT 12 1ST FLOOR PORTION

UNIT 13 1ST FLOOR PORTION

UNIT 14 1ST FLOOR PORTION

UNIT 15 1ST FLOOR PORTION

UNIT 16 1ST FLOOR PORTION

UNIT 17 1ST FLOOR PORTION

UNIT 18 1ST FLOOR PORTION

UNIT 19 1ST FLOOR PORTION

UNIT 20 1ST FLOOR PORTION

UNIT 21 1ST FLOOR PORTION

UNIT 22 1ST FLOOR PORTION

LOT 18 OF

PLAN 65R-32558

STREET (KEELE STREET) (DESIGNATED AS A REMONAL ROAD BY BY-LAW NO. R-1107-08-120. (UNREGISTERED))

PIN 03339 - 0001

Not to Scale

KEELE STREET

2.5m X 5.8m
2.4m X 5.8m

Subject Lands

Not to Scale

Attachment

FILE: 19CDM-11V008
RELATED FILES: DA.06.007, Z.06.006, OP.06.003
DATE: September 13, 2012



Draft Plan of Condominium 19CDM-11V008 - Underground Parking Plan

APPLICANT: Aquatella Falls Homes Ltd.
LOCATION: Part of Lot 18, Concession 3

