

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.)

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER, PLANNING AND GROWTH MANAGEMENT

DATE: APRIL 4, 2018

SUBJECT: COMMUNICATION

ITEM #7, COMMITTEE OF THE WHOLE – APRIL 4, 2018

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V001
RAVINES OF ISLINGTON INC.**

WARD 2 – VINCINTY OF ISLINGTON AVENUE AND LANGSTAFF ROAD

Recommendation

The Deputy City Manager, Planning and Growth Management and the Director of Development Planning recommend:

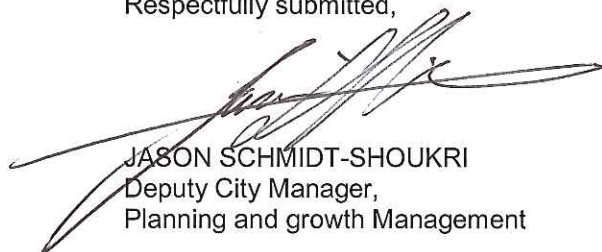
1. THAT this Communication, BE RECEIVED.
2. THAT the Recommendation #2 of Item #7 of the Committee of The Whole Report of the April 4, 2018, respecting Draft Plan of Condominium 19CDM-16V001, be deleted and replaced with the following:
 - "2. Any retaining walls and subsurface infrastructure shall be 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 the 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."

Background

On April 3, 2018, correspondence was received (Communication 41) from the solicitor representing the Owner regarding Recommendation #2 and certain proposed Draft Plan of Condominium conditions included in the Committee of the Whole Report. Concern was identified

about the requirement to identify the retaining walls and subsurface structures of the development in the common elements for the development. Staff and the solicitor for the applicant have discussed this matter and are satisfied that the revised recommendation and condition as set out in the Recommendation of this Communication satisfactorily address the requirements of the City and the applicant.

Respectfully submitted,



JASON SCHMIDT-SHOUKRI
Deputy City Manager,
Planning and growth Management



MAURO PEVERINI
Director of Development Planning

Copy to: Daniel Kostopoulos, City Manager
Todd Coles, Deputy City Clerk

AIRD BERLIS

Leo F. Longo
Partner
Direct: 416.865.7778
E-mail: llongo@airdberlis.com

c <u>18</u>
Communication
COUNCIL: <u>Apr 11/18</u>
<u>cw</u> Rpt. No. <u>14</u> Item <u>7</u>

April 9, 2018

Our File No. 133804

BY EMAIL: clerks@vaughan.ca

Mayor and Members of Council
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attention: City Clerk

Your Worship and Council Members:

**Re: April 11, 2018 Council Meeting
COW Report No. 14, Item No. 7
Communication Item #1**

**Re: Ravines of Islington Encore Inc.
Draft Plan of Condominium File 19CDM-16V001**

We act on behalf of the landowner/applicant in this matter.

We respectfully request that Council adopt the recommendations contained in the April 4, 2018 joint report of the Deputy City Manager, Planning and Growth Management and the Director of Development Planning that is found as Communication Item No. 1 for this upcoming Council Meeting.

Yours truly,

AIRD & BERLIS LLP


Leo F. Longo
LFL/ly

c. Client
John Zipay/Julia Pierdon
Parente Borean LLP

32269282.2

AIRD BERLIS

Leo F. Longo
Partner
Direct: 416.865.7778
E-mail: longo@airdberlis.com

C	41
COMMUNICATION	
CW -	APML 4/18
ITEM -	7

April 3, 2018

Our File No. 133804

BY EMAIL: clerks@vaughan.ca

Committee of the Whole
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attention: Barbara McEwan, City Clerk

Dear Ms. McEwan:

**Re: April 4, 2018 Committee of the Whole Agenda
Item No. 7, Draft Plan of Condominium (Common Elements)
Your File 19CDM-16V001**

Re: Ravines of Islington Encore Inc.

We have been retained by the landowner/applicant in the above-captioned matter.

We intend to make a deputation at tomorrow's Committee of the Whole meeting respecting recommendation No. 2 of the Staff Report in this matter and to certain of the proposed draft condominium plan conditions.

Yours truly,

AIRD & BERLIS LLP


Leo F. Longo
LFL/ly

c. Client
John Zipay/Julia Pierdon
Parente Borean LLP

32188679.1

Item:



Committee of the Whole Report

DATE: Wednesday, April 04, 2018

WARD: 2

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

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

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.
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.

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 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

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 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.

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

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Mauro Peverini, Director of Development Planning, ext. 8407

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-16V001 ("PLAN")
RAVINES OF ISLINGTON ENCORE INC. ("OWNER")
PART OF LOTS 7, 8, 11 AND 12, REGISTERED PLAN M-1113, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("CITY") THAT
SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF
CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-16V001, 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 File No. 15-076, dated March 5, 2018.
2. The Owner shall identify the retaining walls and servicing infrastructure considered to be common elements and/or for the exclusive use of the Condominium Corporation on the draft Plan of Condominium prior to the execution of the Condominium Agreement, and within the Condominium Declaration prior to the registration of the final Plan of Condominium, all to the satisfaction of the City.
3. Prior to the assumption of the common elements by the future Condominium Corporation, the Owner shall confirm that the common element features and amenities, including the infrastructure required to service this Plan, will remain in the common element areas as identified by the Plan of Condominium.
4. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department, and the related Site Plan Agreement shall have been registered on title.
5. The Owner shall enter into a Condominium Agreement with the City, and shall agree to satisfy all conditions that may be outstanding that the City considers necessary as part of the related Site Plan Agreement and Site Development File DA.15.085.
6. Prior to the Owner carrying out and constructing the works relating the Site Plan Agreement and Site Development File DA.15.085 on the abutting lands to the north, municipally known as 8469 Islington Avenue, the Owner shall provide to the City either written consent from YRCC No. 1242 confirming that such 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, satisfactory to the City.
7. 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) The Condominium Corporation shall be responsible for private snow removal and clearing.
- c) Upon a successfully completed application, a site inspection, and the execution and registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division as determined by the City, the Condominium Corporation will be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.
- d) The following warning clause be included in the Condominium Agreement for the residential lots abutting or adjacent to the open space:

“Owners and/or tenants 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.”

- e) The Owner shall enter into an agreement respecting conveyance easements with the City for the portion of the storm sewer on the subject lands, which 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. 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 or YRCC No. 1209.
- 8. The Condominium Agreement shall be registered on title against the lands to which it applies, at the Owner’s expense.
 - 9. Prior to the Owner carrying out and constructing the works relating the Site Plan Agreement and Site Development File DA.15.085, the Owner shall provide to the Development Engineering 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 retaining walls will not encroach into any abutting properties. Notwithstanding the foregoing, retaining wall encroachments shall only be permitted for construction purposes if the Owner obtains written consent from the abutting property Owner(s) in a form satisfactory to the City.

10. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
11. 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, including but not limited to:
 - a) An easement in favour of the City over the subject lands to facilitate access to the future multi-use recreational pathway that runs north and south along the Humber River Valley corridor for maintenance purposes to the satisfaction of the City, consistent with the City of Vaughan Pedestrian and Bicycle Master Plan.
 - b) An agreement respecting conveyance easements with the City for the portion of the 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 or YRCC No. 1209.
12. Prior to the release of the Letter of Credit collected as part of the related Site Plan Agreement and Site Development File DA.15.085, the Owner shall provide confirmation to the City that easements in favour of the abutting lands to the north, municipally known as 8469 Islington Avenue over the mutual access connection to permit pedestrian and vehicular ingress and egress, and for the passing of underground services and utilities between the Subject Lands and the YRCC No. 1242 land holdings are registered on title.
13. Prior to final approval, the Owner shall confirm fulfillment of all Parkland Dedication obligations to the City in accordance with the City's Cash-in-Lieu of Parkland Policy and the *Planning Act*.

14. Prior to final approval, the Owner shall confirm 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 Vaughan Financial Planning and Development Finance Department. The Owner also certifies 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 this Agreement, if required, until each unit covered under this Condominium Agreement is separately assessed.

York Region Conditions

15. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued for the subject property under York Region File No. SP-V-011-16, have been satisfied.
16. Prior to final approval, the Owner shall execute all York Region Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the subject property issued under York Region File No. SP-V-011-16.
17. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of York Region or that York Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
18. Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where York Region Agreements require responsibility to change from the Owner to the Condominium Corporation.

Toronto and Region Conservation Authority Conditions

19. The Owner shall confirm to the satisfaction of the Toronto and Region Conservation Authority (TRCA) that the conditions of the TRCA included in the related Site Plan Agreement and Site Development File DA.15.085, have been included in the articles of incorporation for the Condominium Declaration.

Canada Post Conditions

20. The Owner agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

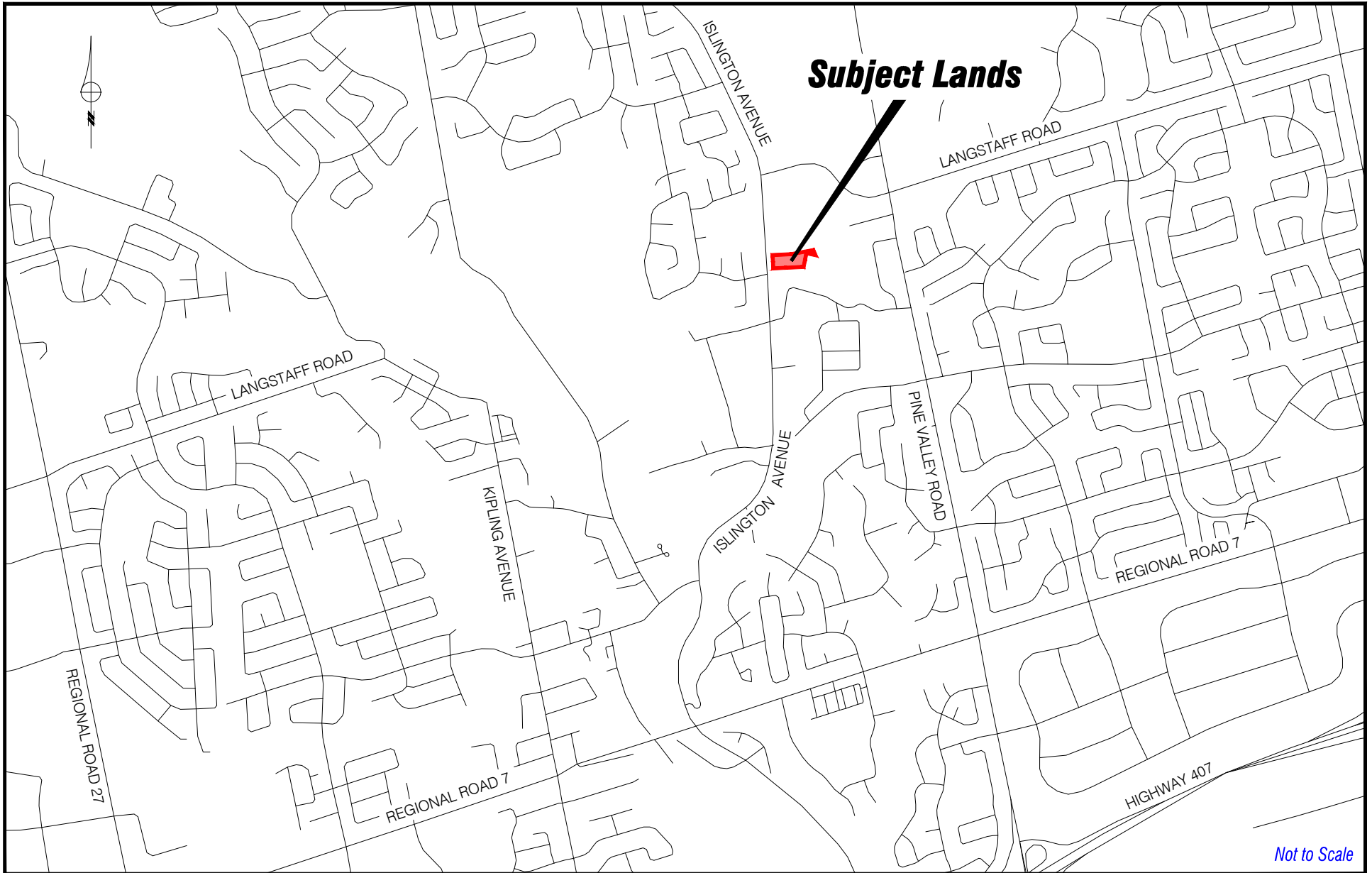
21. The Owner will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
22. The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.
23. The Owner will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) an appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
 - b) any required walkway across the boulevard, as per municipal standards; and
 - c) any required curb depressions for wheelchair access.
24. 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, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

Utilities Conditions

25. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority.

Clearances

26. The Vaughan Development Planning Department shall advise that Conditions 1 to 14 have been satisfied.
27. York Region shall advise the Vaughan Development Planning Department in writing that Conditions 15 to 18 have been satisfied.
28. The Toronto and Region Conservation Authority shall advise the Vaughan Development Planning Department in writing that Condition 19 has been satisfied.
29. Canada Post shall advise the Vaughan Development Planning Department in writing that Conditions 20 to 24 have been satisfied.
30. Alectra Utilities Corporation, Bell Canada and Enbridge Gas Distribution shall advise the Vaughan Development Planning Department in writing that Condition 25 has been satisfied.



Context Location Map

LOCATION:
Part of Lot 10, Concession 7

APPLICANT:
Ravines of Islington Encore Inc.

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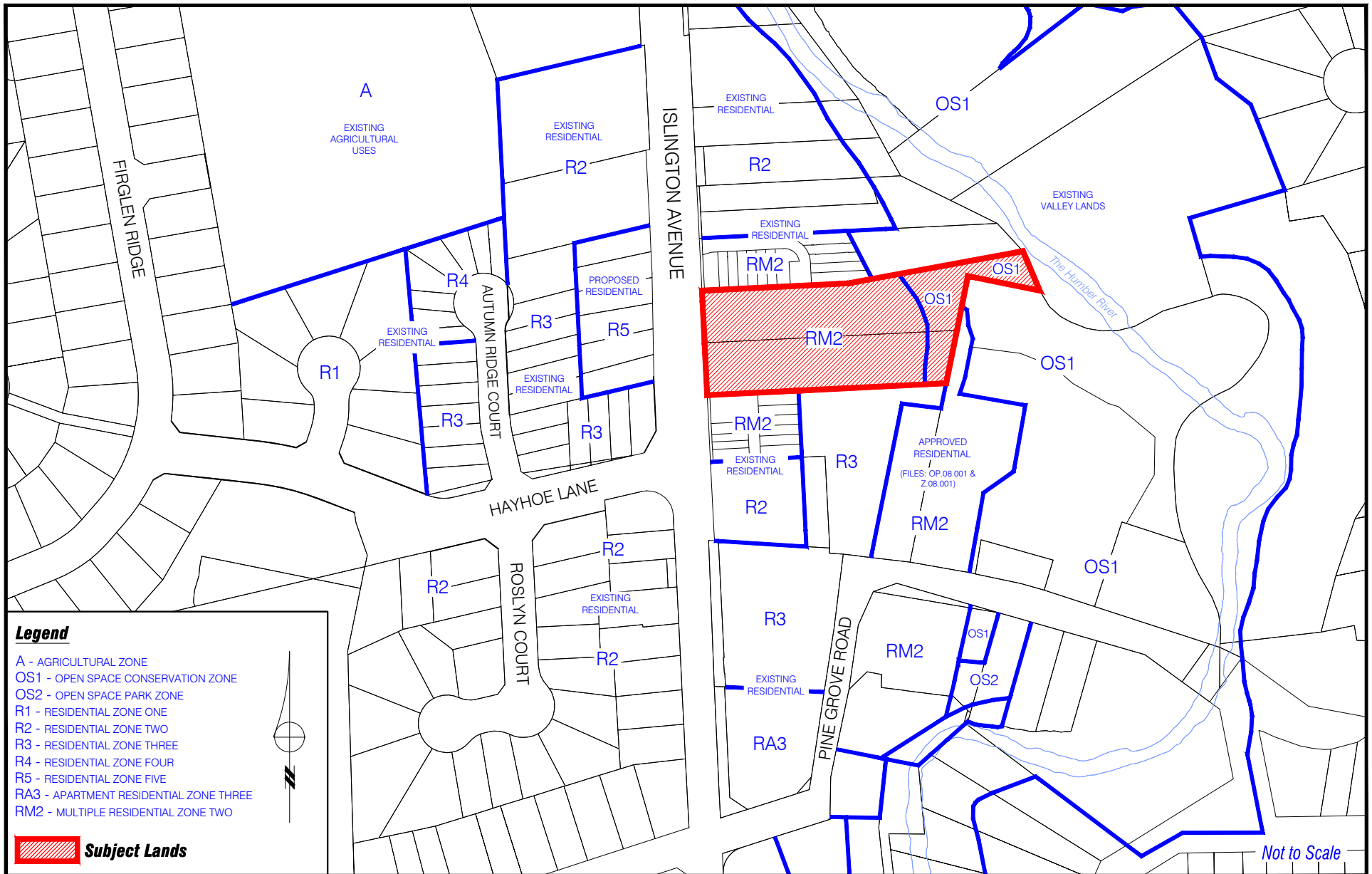


Attachment

FILE: 19CDM-16V001
RELATED FILES: OP.16.005,
Z.15.035, & DA.15.085

DATE: April 4, 2018

2



Location Map

LOCATION:
Part of Lot 10, Concession 7

APPLICANT:
Ravines of Islington Encore Inc.

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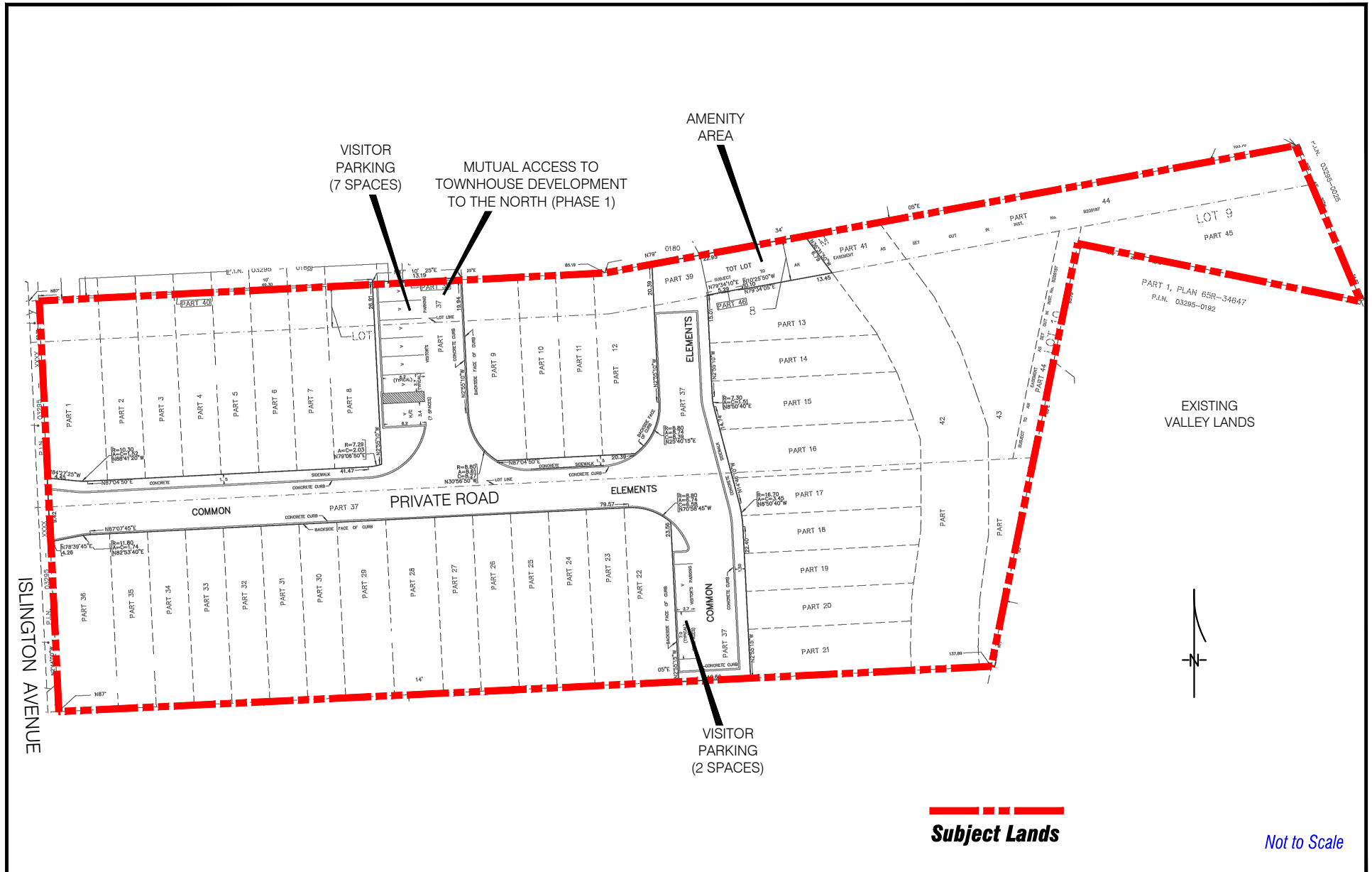


Attachment

FILE: 19CDM-16V001
RELATED FILES: OP.16.005,
Z.15.035, & DA.15.085

DATE: April 4, 2018

3



Draft Plan of Condominium (Common Elements) (File: 19CDM-16V001)

APPLICANT: Ravines of Islington Encore Inc. LOCATION: Part of Lot 10, Concession 7

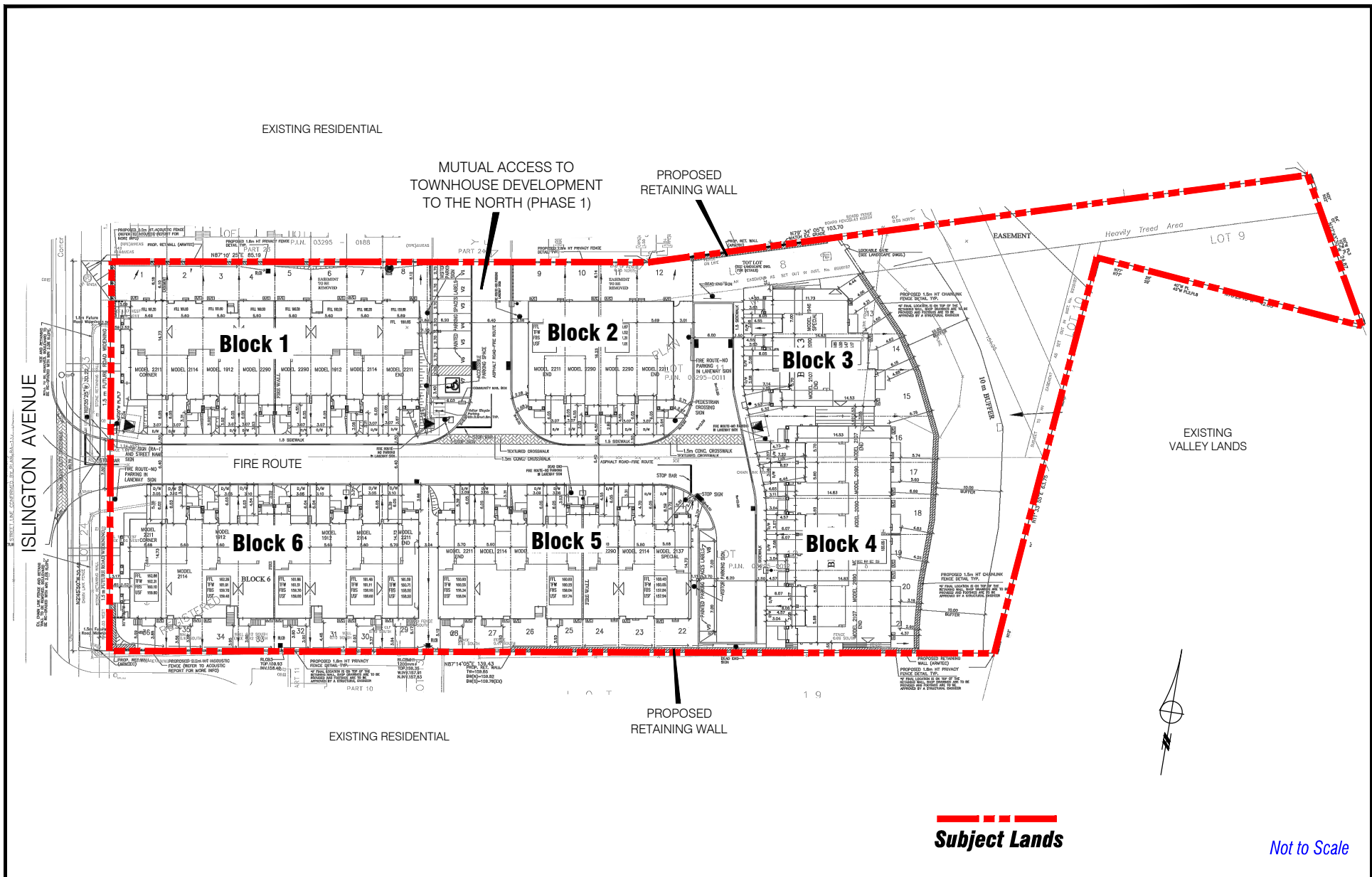


Attachment

FILE: 19CDM-16V001
RELATED FILES: OP.16.005,
Z.15.035, & DA.15.085

DATE: April 4, 2018

4



Subject Lands

Not to Scale

Approved Site Plan (File DA.15.085)

APPLICANT: Ravines of Islington Encore Inc. LOCATION: Part of Lot 10, Concession 7



Attachment

FILE: 19CDM-16V001
RELATED FILES: OP.16.005,
Z.15.035, & DA.15.085

DATE: April 4, 2018

5