

COMMITTEE OF THE WHOLE AUGUST 19, 2002

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-02V01 WINDLIEGH HOLDINGS CORP.

Recommendation

The Commissioner of Planning recommends:

1. THAT the following recommendation BE DEFERRED to Council on August 26, 2002 for confirmation regarding ownership of the laneway for the purposes of public access.
 - a) THAT Draft Plan of Condominium 19CDM-02V01 (Windlleigh Holdings Corp.) as prepared by Schaeffer and Dzaldov Limited dated March 7, 2002, BE RECOMMENDED FOR DRAFT APPROVAL, subject to the conditions of draft approval contained within Attachment No. 1.

Purpose

On April 15, 2002, the Owner submitted an application for Draft Plan of Condominium consisting of a 3½-storey, 85 unit residential apartment building on a 0.44 hectare site.

Background - Analysis and Options

The subject lands are located southeast of Woodbridge Avenue and Wallace Street, being Lots 4, 5 and 6 on Plan 546 (25 to 39 Wallace Street), in Lot 7, Concession 7, City of Vaughan. The 0.44 hectare site has 63 m frontage onto Wallace Street. The surrounding land uses are as follows:

- North - commercial building (C1 Restricted Commercial Zone)
- South - residential dwellings (R3 Residential Zone)
- East - existing condominium building, (RA2 Zone) and OS1 Open Space Conservation Zone
- West - Wallace Street, townhouse complex, (RM2 Zone)

Official Plan

The lands are designated "Mixed Use Commercial" by Official Plan Amendment #440 (Woodbridge Core Plan), which permits a range of retail, office and residential uses. The proposed development conforms to the policies of the Official Plan.

Zoning By-law

The subject lands are zoned RA3 Apartment Residential Zone by By-law 1-88, subject to exception paragraph 9(1094), which provides for a minimum of 138 parking spaces, including tandem parking and provides for a maximum number of units. The proposed development complies with the requirements of the Zoning By-law.

Site Description

The site is located along the Wallace Street frontage with a similar condominium building located immediately to the east. The site plan (DA.98.94) was approved by Council on September 25, 2000 and the site development agreement was registered on July 19, 2002, as Instrument No. YR-176212. The final condominium plan generally conforms to the approved site plan with the exception of a concrete wall protruding into the notched area at the southeast corner of the property. This issue will have to be addressed prior to the registration of the condominium plan.

Comments

The Region of York has completed its review of the above noted application and has indicated no objection to the approval of the plan of condominium provided that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the City of Vaughan.

The Toronto Region and Conservation Authority requirements have been addressed through the site plan approval process and therefore, have no objection to the approval of the plan.

Servicing

The subject lands have access to municipal services, including hydro, storm and sanitary sewers and water. The site has two access points, access from Wallace Street to the visitors parking area and proposed access to Woodbridge Avenue via the private laneway located to the east. On January 28, 2002, Council resolved to acquire ownership of the private laneway for the purposes of public access, provided the applicant enters into an agreement with the City to assume all costs and responsibility to maintain the laneway as per the City standards and requirements. An agreement has been executed on July 8, 2002 and registered on title to the property providing Windliegh Holdings Corp. to assume for all costs and responsibility for the maintenance of the laneway. The Legal Department is proceeding to obtain an executed Transfer to convey the laneway to the City, and will confirm the status of the access to the laneway prior to Council on August 26, 2002.

The City Engineering department has confirmed that City Council has allocated sewage capacity for the Subject Lands on September 25, 2000.

Conclusion

Staff have reviewed the draft Plan of Condominium in accordance with the approved site plan for the lands and are satisfied the proposal is consistent with the provisions of the Official Plan and Zoning By-law. Should Committee concur, the recommendation of this report can be adopted.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Preliminary Condominium Plan

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM 19CDM- 02V01
WINDLIEGH HOLDINGS CORP.
LOT 7, CONCESSION 7, 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-02V01, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Schaeffer and Dzaldov Limited, dated March 7, 2002.
2. Prior to the execution of the condominium agreement, the Owner shall submit a pre-registered plan of condominium to the Community Planning Department and the site plan agreement shall have been registered on title.
3. The Owner shall enter into a condominium agreement with the City of Vaughan, agreeing to satisfy all conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary; prior to final approval, the City shall confirm that the condominium agreement will be registered by the City against the lands to which it applies, at the cost of the Owner.
4. Prior to final approval, the Owner shall submit an "as built" survey to the satisfaction of the Building Standards Department.
5. Prior to final approval, the Owner shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
6. 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 Finance Department.
7. The following provision(s) shall be included in the condominium agreement:
 - a) the Condominium Corporation shall be responsible to regularly clean and maintain all and catch basins and driveways, including the adjacent driveway/laneway to the immediate east being part of York Region Condominium Plan 925 as per agreement.
 - b) Garbage shall be picked up by the Owner/Condominium Corporation
 - c) Snow Storage shall be stored on site and snow clearing shall be the responsibility of the Condominium Corporation
 - d) All landscaping shall be the responsibility of the Condominium Corporation including landscaping along the eastern laneway York Region Condo Plan 925.

- e) The Owner shall construct and maintain all fencing for this development including privacy and decorative fencing as identified in the site development agreement.
- 8. That all conditions of Vaughan Hydro and Vaughan Fire Prevention be satisfied prior to the registration of the condominium agreement.
- 9. Prior to final registration of the condominium plan, the development shall comply with the Zoning By-law and with the approved site development application.
- 10. The City shall advise that Conditions 1 to 9 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

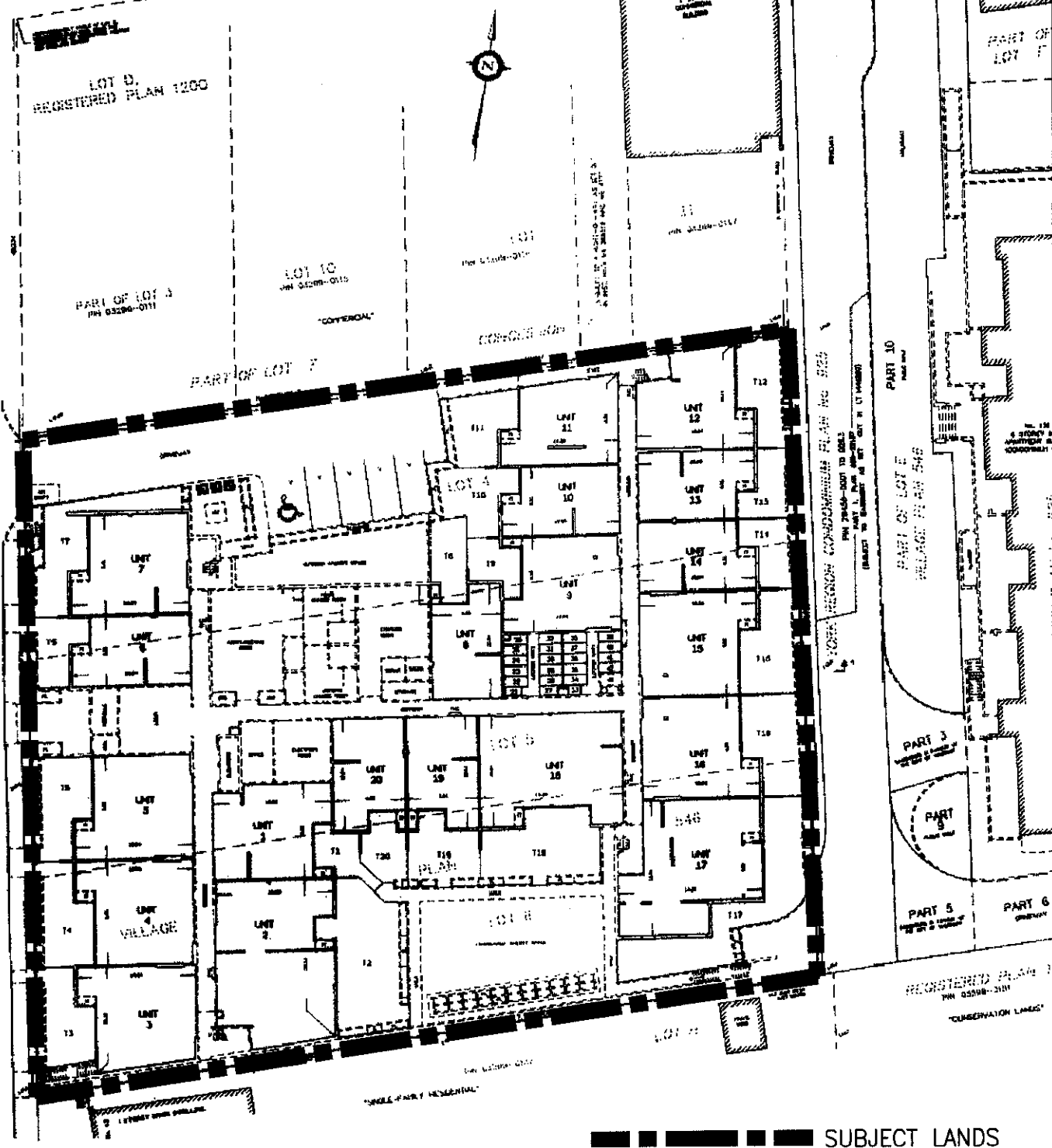
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ATTACHMENT '2'
LOCATION MAP

FILE #:	REPORT #:	DATE:	04/29/2002
19CDM-02V01	LOCATION: PART OF LOT 7, CON. 7	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT: WINDLEIGH HOLDINGS
		SCALE:	NOT TO SCALE

WOODBRIDGE AVENUE
 BY UNREGISTERED BY-LAW NO. 2873
 CREATED AS PNE STREET ON REGISTERED PLAN 1200
 PMS 03200 - 03205



■■■■■■■■■■ SUBJECT LANDS

<p>ATTACHMENT '3' SITE PLAN</p>	FILE #:	REPORT #:	DATE: 04/29/2002
	19CDM-02V01	LOCATION: PART OF LOT 7, CON. 7	APPLICANT: WINDLEIGH HOLDINGS
		CITY OF VAUGHAN PLANNING DEPARTMENT	SCALE: NOT TO SCALE