

COMMITTEE OF THE WHOLE FEBRUARY 20, 2006

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V10
UNITED CAPITAL INVESTMENTS LIMITED**

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-05V10 (United Capital Investments Limited) BE APPROVED, subject to the conditions of approval set out in Attachment #1.

Economic Impact

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

Purpose

The Owner has submitted an application for Draft Plan of Condominium approval on the subject lands shown on Attachment #2, to create the common elements for the proposed 37 unit freehold residential townhouse development, including the roads, visitor parking spaces, and walkway areas, as shown on Attachment #3.

The Owner has also submitted a corresponding application for Part Lot Control Exemption (File PLC.05.018) to lift the Part Lot Control provisions of the Planning Act to facilitate the creation of 37 freehold residential parcels of tied land (POTL) on the subject lands, to facilitate the townhouse units. The Part Lot Control by-law will be forwarded to Council for enactment, once the condominium plan for the common elements has been registered.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the south side of Regional Road #7, west of Helen Street, being Lot 1 on Registered Plan 4319, and Lot 37 on Registrar's Compiled Plan 9831 (4763 and 4773 Regional Road #7), in Lot 5, Concession 7, City of Vaughan.

The lands are currently comprised of an assembly, of two properties one of which is under a registered plan, while the other is part of a Registrar's Compiled Plan. Council, on April 25, 2005, approved a draft plan of subdivision application (File 19T-04V04) to facilitate the merging of the lots into one registered plan to allow for the consolidated block to be developed through the Site Development process (File DA.04.080) and with individual freehold parcels to be created through a Part Lot Control application (File PLC.05.087). On September 26, 2005, Council approved the related Site Plan application. The common element areas, including the walkways, visitor parking areas and roads will be created through the subject Draft Plan of Condominium application (File 19CDM-05V09). The surrounding land uses are:

- North - Regional Road #7; residential (R2 Residential Zone)
- South - Woodbridge College (A Agricultural Zone)
- East - approved townhouse development (Stone Manor Development) (RM2 Residential Zone)
- West - vacant, approved townhouse development (1609985 and 1609886 Ontario Limited) (R1 Residential Zone)

Official Plan

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #617, which permits the residential townhouse development. The proposed Draft Plan of Condominium to create the common element areas conforms to the Official Plan.

Zoning

The subject lands are zoned RM2 Multiple Residential Zone by By-law 1-88, subject to Exception 9(1236), which permits the proposed townhouse development. The Draft Plan of Condominium to create the common elements for the townhouse development complies with all requirements of the Zoning By-Law.

Connection with Adjacent Lands

The necessary easements are required to ensure appropriate servicing, vehicular and pedestrian connectivity of the site with the adjacent lands to the east and west (Stone Manor Developments and Forest Green Homes). The site development agreement and the Condominium Agreement will contain wording requiring the Owner to obtain the appropriate servicing easements and cross-easements to ensure connectivity with the adjacent lands.

Restriction on Title

Council approved the related Draft Plan of Subdivision (File 19T-04V04) on April 25, 2005 to facilitate the merging of all lots into one registered plan to allow the creation of individual parcels through exemption of Part Lot Control. The Owner shall register a restriction on the title of the lands that will not allow the Owner to transfer title to the freehold townhouse dwellings until the final condominium is registered.

Garbage/Recycling and Snow Removal

The collection of garbage/recycling and the removal of snow will be privately administered by the Condominium Corporation.

Region of York

The Region of York has no objection to the approval of the draft plan of condominium, subject to satisfying the condition of draft approval setout in Attachment #1.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed application for Draft Plan of Condominium to facilitate the creation of the common elements (ie. roads, visitor parking spaces, ad walkways) that will serve the freehold townhouse development, and is of the opinion that it is consistent with the approved site plan. The Development Planning Department has no objections to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Draft Plan of Condominium for Common Elements (19CDM-05V10)

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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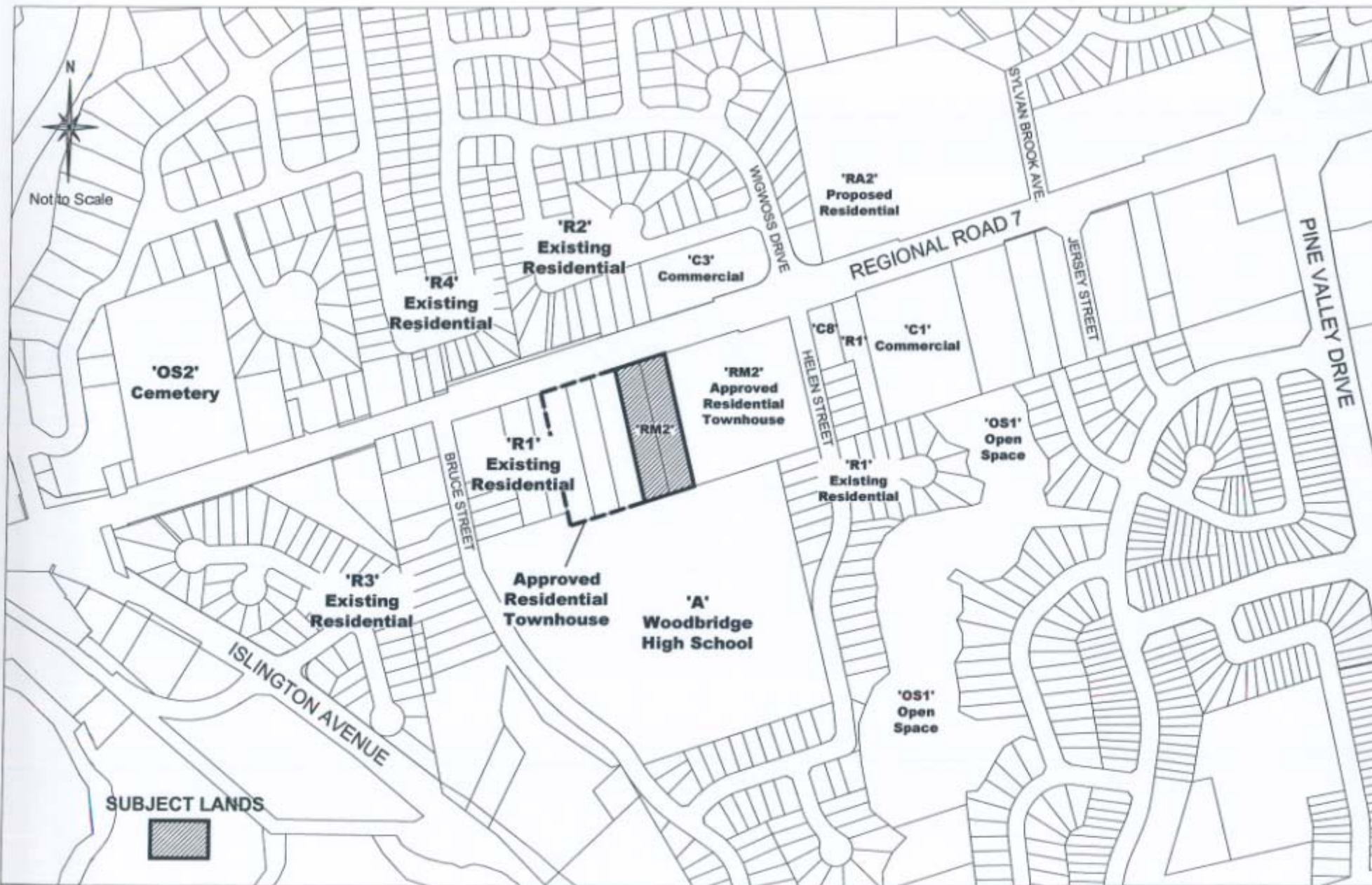
ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF CONDOMINIUM 19CDM-05V10 {UNITED CAPITAL INVESTMENTS LIMITED} LOT 5, 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-05V10, ARE AS FOLLOWS:

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Rabideau and Czerwinski Ontario Land Surveyors, dated August 19, 2005.
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, and the related site plan and subdivision agreements shall have been registered on title.
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 and any other matters that the City may consider necessary.
4. The following provision(s) shall be included in the condominium agreement:
 - a) The 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 Condominium Corporation.
 - c) Snow removal and clearing shall be the responsibility of the Condominium Corporation.
 - d) The Owner/Condominium Corporation shall secure the appropriate servicing easements and cross-easements with the adjacent easterly and westerly lands.
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 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 Finance Department.
9. Prior to final approval, the Owner shall have met the Region of York conditions of site plan approval, as appended as a schedule in the City's Site Plan Agreement, to the satisfaction of the Region of York Transportation and Works Department. The Region of York shall advise the Vaughan Development Planning Department how this condition has been met.
10. The Region of York shall advise that Condition 9 has been satisfied.
11. The City shall advise that Conditions 1 to 8 inclusive, have been satisfied.



Location Map

Part Lot 5,
Concession 7

APPLICANT:
UNITED PEOPLE CORPORATION
& UNITED CAPITAL INVESTMENTS LTD.

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Development Planning Department

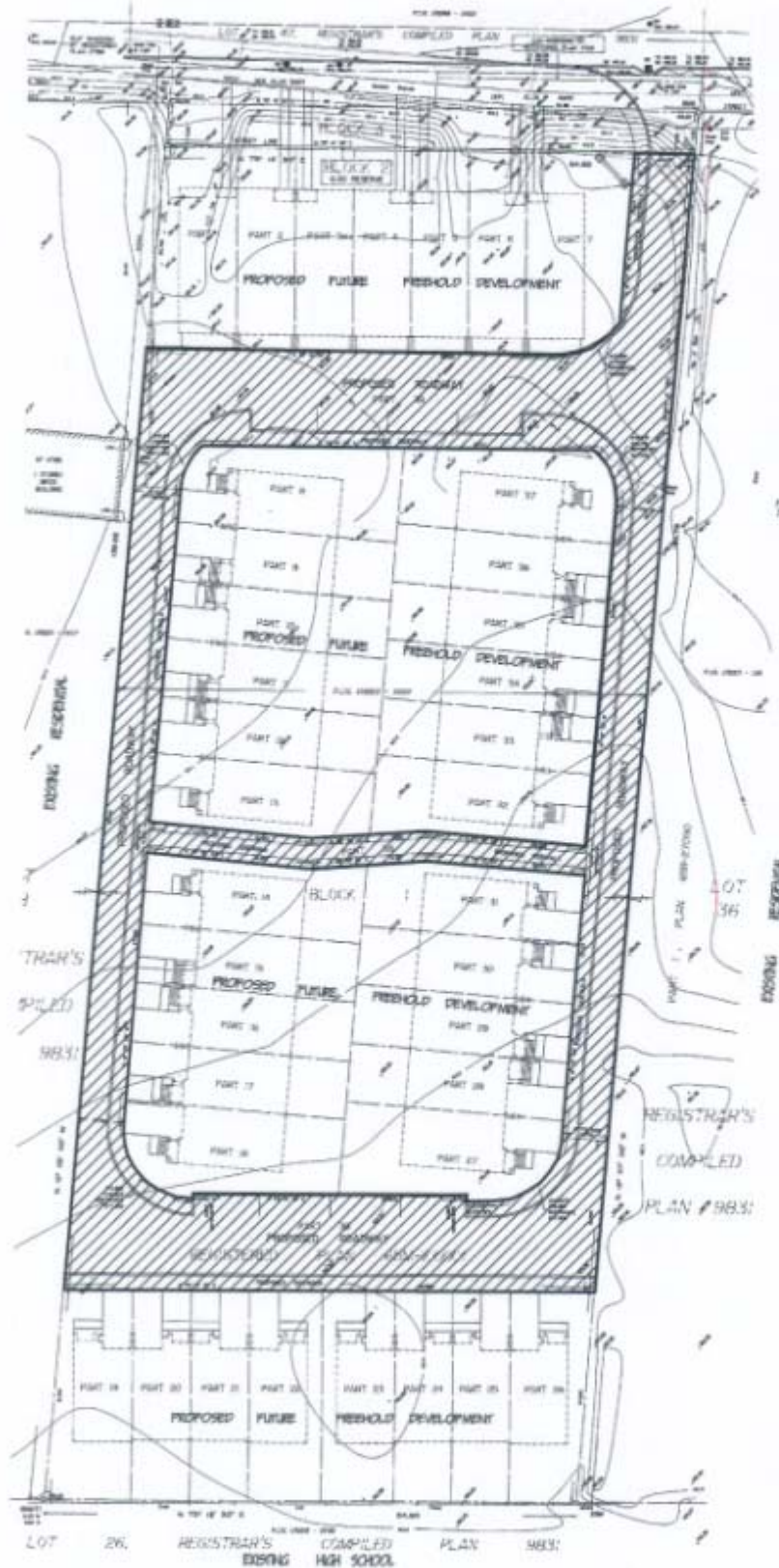
Attachment

FILE No.:
19CDM-05V10
RELATED FILE:
19T-04V04

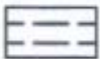
January 26, 2006

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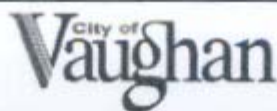
REGIONAL ROA D 7




COMMON ELEMENT
SUBJECT TO
DRAFT PLAN OF
CONDOMINIUM


37 UNIT FREEHOLD
TOWNHOUSES, TO BE
CREATED THROUGH
RELATED PART LOT
CONTROL APPLICATION,
FILE PLC.05.087

**Draft Plan of
Condominium**



Attachment

3

Part Lot 5,
Concession 7

APPLICANT:
UNITED PEOPLE CORPORATION
& UNITED CAPITAL INVESTMENTS LTD.

Development Planning Department

FILE No.:
19CDM-05V10
RELATED FILE:
19T-04V04

January 26, 2006