

1. **ZONING BY-LAW AMENDMENT FILE Z.08.044** **P.2008.32**
DRAFT PLAN OF SUBDIVISION FILE 19T-08V02
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-08V09
2175160 ONTARIO LTD.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files Z.08.044, 19T-08V02 and 19CDM-08V09 (2175160 Ontario Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On August 22, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Kipling Avenue and West Woodbridge Ratepayers Associations and to those individuals requesting notification. As of September 2, 2008, no comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An application to amend the Zoning By-law (File Z.08.44), specifically By-law 1-88, to permit the site plan approved, 16 lot semi-detached development shown on Attachment #3, to have frontage on a private common element condominium road (Attachment #4), whereas By-law 1-88 requires freehold lots to front onto a public road; and any other exceptions required to implement the proposed common element condominium development shown on Attachment #4.
2. An application for Draft Plan of Subdivision approval (File 19T-08V02) to create three residential blocks as shown on Attachment #2. Block 1 will be developed with 16 semi-detached residential units (approved under Site Plan File DA.00.100), and Blocks 2 and 3 will be developed for future residential uses (single-detached), as shown on Attachment #3. The proposed subdivision plan will facilitate the future division of Block 1 into 16 freehold semi-detached residential lots or parcels of tied land (POTLs) by way of a future Part Lot Control application in the manner shown on Attachment #4.
3. An application for Draft Plan of Condominium (Common Element) approval (File 19CDM-08V09) to facilitate the private common road, visitor parking and landscaped areas, associated with the freehold semi-detached units shown on Attachment #4.

Background - Analysis and Options

The subject lands shown on Attachment #1 are currently comprised of an assembly of 2 separate lots (8161 and 8171 Kipling Avenue) and are located on the east side of Kipling Avenue, south of Meeting House Road, in Lot 8, Concession 7, City of Vaughan.

On March 18, 2008, the Ontario Municipal Board (OMB) approved Official Plan Amendment (OPA) #520, Zoning By-law Amendment File Z.98.064 and Site Development File DA.00.100, to permit the semi-detached development shown on Attachment #3. The Site Development Agreement has been prepared, but has not been executed, as the ownership of the subject lands has changed. On April 28, 2008, the new owner informed the Development Planning Department that they will be proceeding with the development as approved by the OMB, but as a common element condominium rather than a standard condominium.

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #520 and zoned RM2 Multiple Residential Zone and R3 Residential Zone by By-law 1-88, subject to Exception 9(1297) which permits the proposed built-form and land use. The surrounding land uses are shown on Attachment #1.

Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) a review of the existing zoning standards will be undertaken to ensure that the necessary exceptions required to facilitate the conversion from a standard condominium to a common element condominium are appropriate;
- ii) the applications will be reviewed to ensure that they are consistent with and satisfy all conditions of the approved Site Development File DA.00.100;
- iii) the applications will be reviewed to ensure that the appropriate warning clauses are inserted in all offers of purchase, sale or lease, and in title and deed or lease, of each of the dwelling units, warning the prospective purchasers or tenants that this development shall function as a common element condominium; and,
- iv) the applications will be reviewed to ensure that the appropriate easements for servicing, and pedestrian and vehicular movement are provided over the subject lands to facilitate the future extension of development to the adjacent lands to the north.

Relationship to Vaughan Vision 2020

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the applications together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In

particular, the applications will be reviewed in the context of the zoning standards set out in By-law 1-88, consistency with the approved Site Development application, the appropriate easements required for servicing, transportation and pedestrian access, and in the context of the surrounding land uses.

Attachments

1. Location Map
2. Proposed Draft Plan of Subdivision
3. Approved Site Plan
4. Proposed Draft Plan of Condominium

Report prepared by:

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Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Senior Manager of Development Planning

/CM



Development Planning Department

Location Map

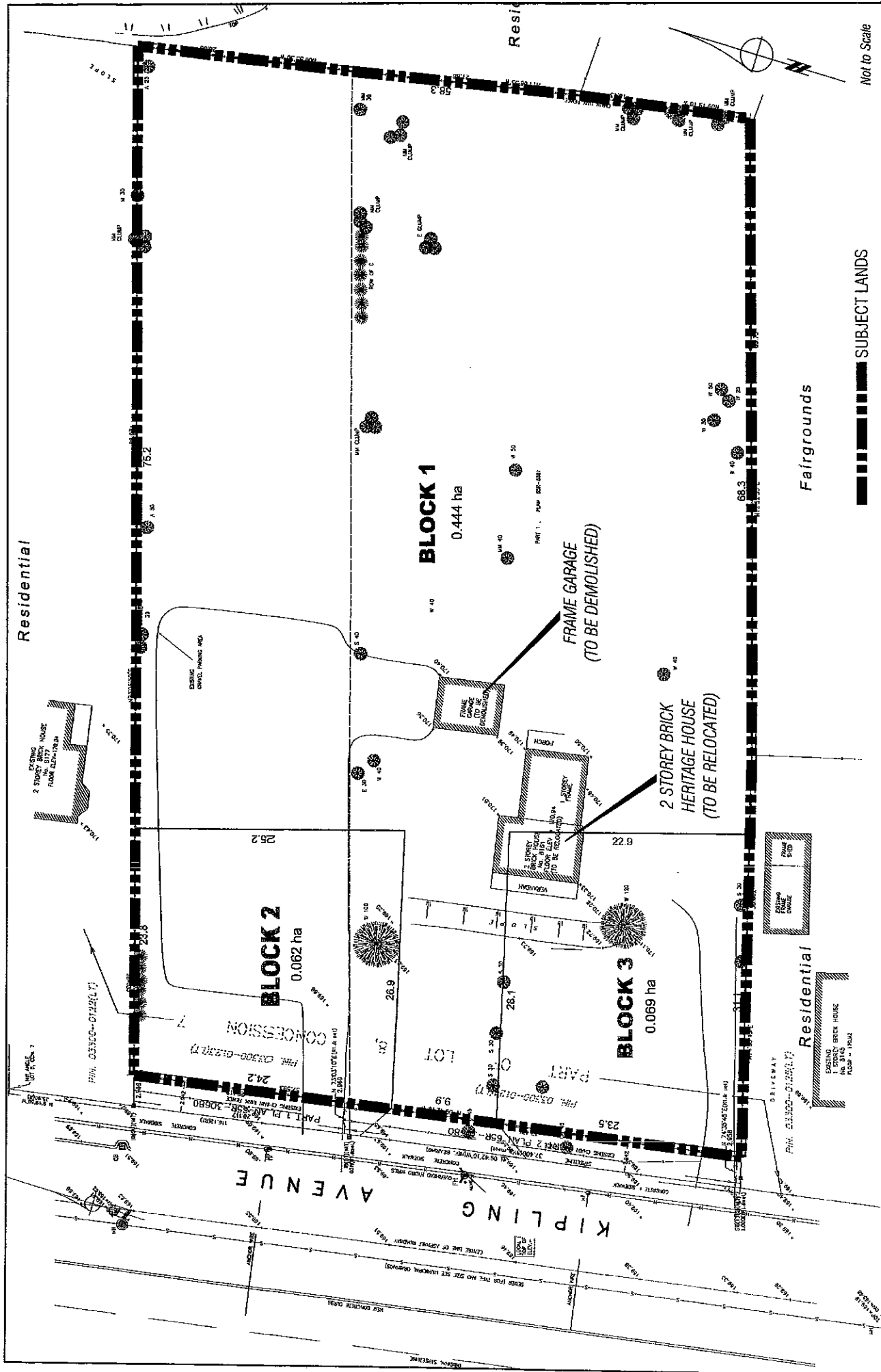
Part Lot 8,
 Concession 7
 APPLICANT:
 2175160 ONTARIO LTD.
MAPS/ATTACHMENTS/19T-08V02

LEGEND

- M1 - Restricted Industrial Zone**
- M2 - General Industrial Zone**
- M3 - Transportation Industrial Zone**
- OS3 - Open Space Commercial Zone**
- R3 - Residential Zone**
- RM2 - Multiple Residential Zone**



SUBJECT
 LAND

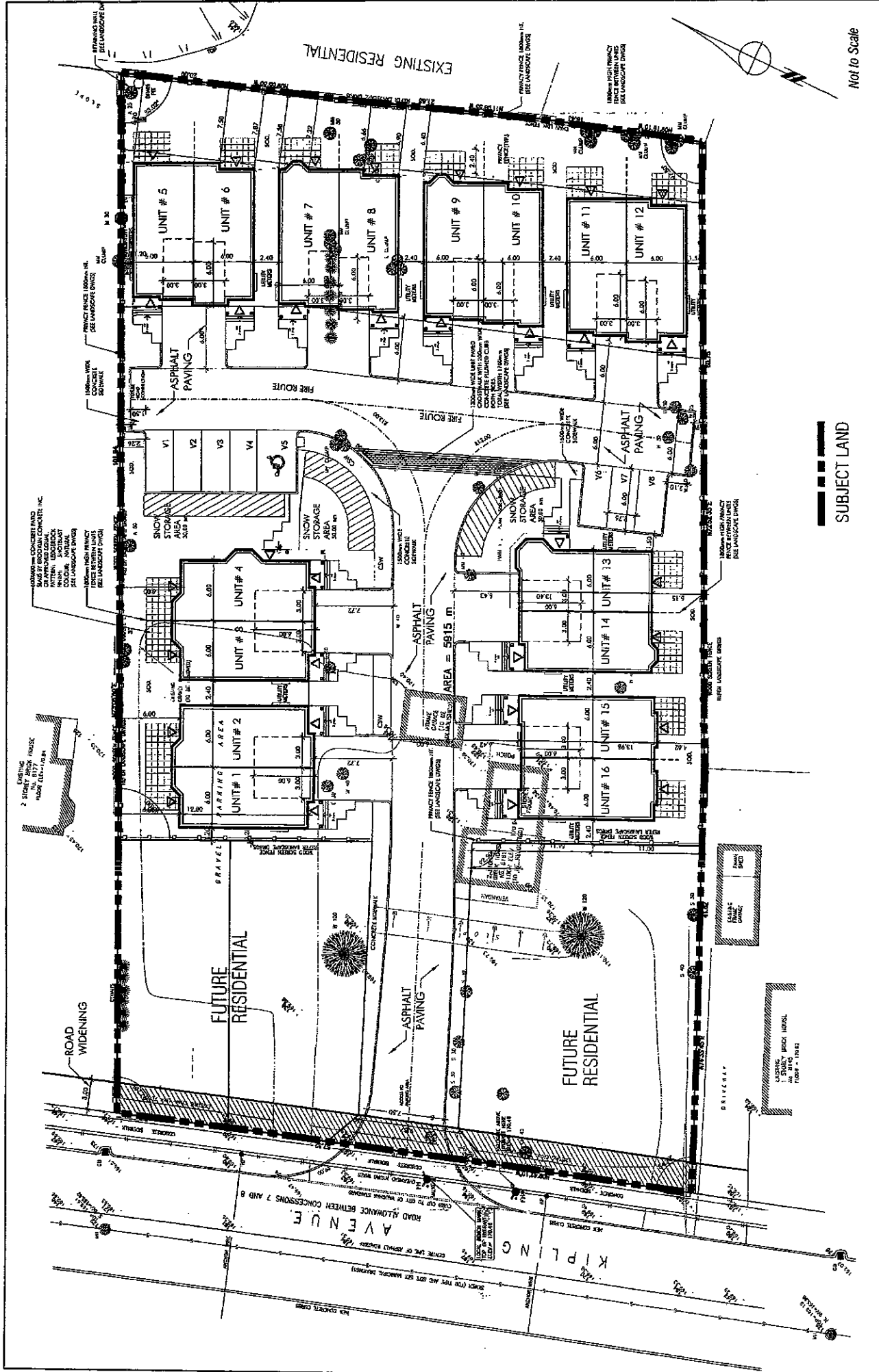


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Attachment
 FILE No's.:
 19T-08V02
 19CDM-08V09 & Z.08.044
 RELATED FILE: DA.00.100
 August 20, 2008

City of Vaughan
The City Above Toronto
 Development Planning Department

**Proposed Draft Plan of
 Subdivision 19T-08V02**
 Part Lot 8,
 Concession 7
 APPLICANT:
 2175160 ONTARIO LTD.
 (INSTEAD ATTACHMENTS) B.0454046



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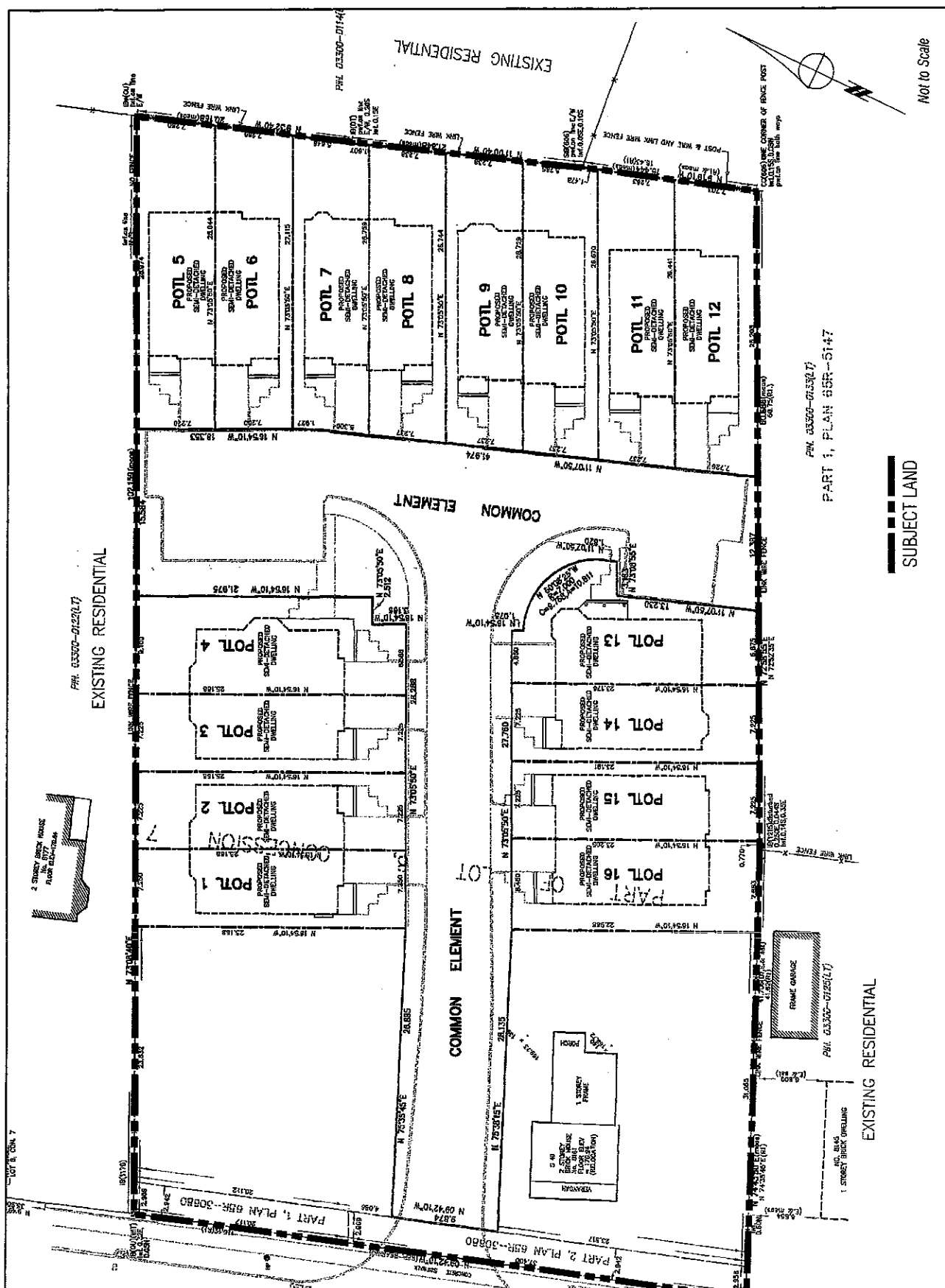
--- SUBJECT LAND

Attachment 3
 FILE NO'S:
 191-08V02,
 19CDM-08V09 &
 Z.08.044
 RELATED FILE:
 DA.00.100
 August 20, 2008

City of Vaughan
The City Above Toronto
 Development Planning Department

Approved Site Plan
 Part Lot 8,
 Concession 7
 APPLICANT:
 2175160 UNITARIO LTD.
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KIPLING AVENUE (FORMERLY BIRCH STREET)
 (ALLOWANCE FOR ROAD BETWEEN CONCESSIONS 7 AND 8)
 P.M. 03300-0190(LT)



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SUBJECT LAND

P.M. 03300-0133(LT)
 PART 1, PLAN 65R-5147

Attachment 4
 FILE NO'S:
 19T-08V02,
 19CDM-08V03 &
 Z.08.044
 RELATED FILE:
 DA.00.100
 August 20, 2008

CITY OF Vaughan
The City Above Toronto
 Development Planning Department

Proposed Draft Plan of Condominium

APPLICANT:
 2175160 ONTARIO LTD.
 Part Lot 8,
 Concession 7

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