

COMMITTEE OF THE WHOLE MAY 17, 2004

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-04V04
ROYAL PATH HOMES INC.
REPORT #P.2000.34**

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium 19CDM-04V04 (Royal Path Homes Inc.), prepared by Bennett Young Limited, and dated February 24, 2004, as revised (Sheet No. 1) April 6, 2004, BE DRAFT APPROVED, subject to the conditions of draft approval contained within Attachment No. 1.

Purpose

On March 1, 2004, the Owner submitted an application for a draft plan of condominium, consisting of a 3-storey building with 31 dwelling units and 54 on-site parking spaces.

Background - Analysis and Options

Location

The site is located on the west side of Keele Street, south of Major Mackenzie Drive, in Lot 20, Concession 4, City of Vaughan. The surrounding land uses are:

- North - Maple United Church, Church Street; residential (R1 Residential Zone)
- South - Maple Post Office, residential (R1V Old Village Residential Zone)
- East - Keele Street; commercial plaza (C1 Restricted Commercial Zone)
- West - residential (R1V Old Village Residential Zone)

Land Use Status

The site is designated "Institutional" and "Low Density Residential" by OPA #350 (Maple Community Plan) and zoned R1 Residential Zone by By-law 1-88, as amended by By-law 391-2002. The condominium plan conforms to the Official Plan and complies with the requirements of the By-law.

Access to the development is from Keele Street by way of a private driveway. Emergency access to the site is provided from Jackson Street.

Circulation Comments

i) Real Estate Division

The Real Estate Division has advised that the Owner is required to pay cash-in-lieu of the dedication of parkland and a condition has been included to this effect.

ii) Fire Department

The Fire Department has provided several standard conditions of approval that must be satisfied by the applicant. A condition of approval is provided in this respect.

iii) Canada Post

Canada Post has advised that its delivery policy requires the Owner to install and maintain a centralized mail facility at the Owner's expense and in co-ordination with Canada Post.

iv) Bell Canada

Bell Canada has advised that it requires conduits to the electrical room and have provided a condition of draft approval.

v) Other

City of Vaughan Engineering, Building Standards and Hydro Departments, the Region of York Planning Department, the Toronto Region and Conservation Authority and the York Catholic District School Board have each advised that they have no objections to the application.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #600.

Conclusion

The proposed draft plan of condominium is consistent with the Zoning By-law and the approved site plan incorporated as Schedule "3" in the site plan agreement. Staff can recommend approval of the draft plan of condominium application, subject to the conditions on Attachment 1. Should Council concur, Condominium Plan 19CDM-04V04 (Royal Path Homes Inc.) can be draft approved with the adoption of the "Recommendation" of this report.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Condominium 19CDM-04V04

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (FILES: 19CDM-04V04 (ROYAL PATH HOMES INC.), CITY OF VAUGHAN, ARE AS FOLLOWS:

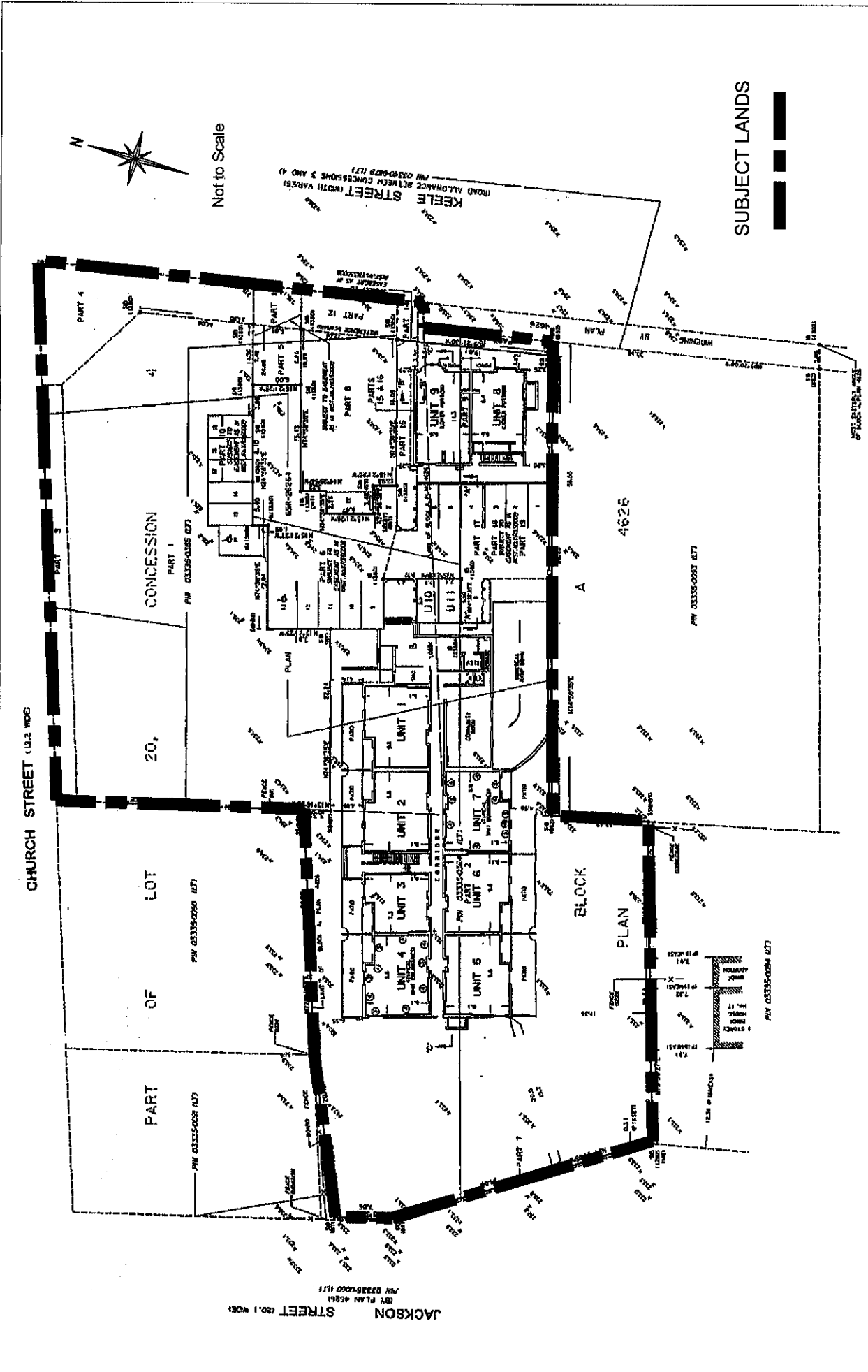
1. Approval shall relate to the draft plan of condominium prepared by Bennett Young Limited, dated February 24, 2004 as revised (Sheet No. 1) on April 6, 2004.
2. Prior to the execution of the condominium agreement:
 - i) the Owner shall submit a pre-registered plan of condominium to the Vaughan Planning Department; and,
 - ii) the site plan agreement shall be 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, as well as any matters the City may consider necessary.
4. Prior to the registration of the condominium agreement, the Owner shall satisfy all conditions of the site plan application for the development.
5. The following provisions shall be included in the condominium agreement:
 - a) the Condominium Corporation shall regularly clean and maintain all driveway catch basins and walkways;
 - b) the Condominium Corporation will comply with all Agreements required of the Condominium Corporation as identified in the Site Plan Agreement registered on title for the subject lands;
 - c) the Condominium Corporation shall supply, install and maintain the mail equipment to the satisfaction of Canada Post; and,
 - d) a clause shall be included in the Condominium Agreement that the following units on Level "A" (Basement Plan – Sheet No. 5) shall be used only for the intended purpose:
 - Units 1 to 31 inclusive for parking units
 - Units 32 to 43 inclusive for storage units
 - e) The following clause shall be included in the Condominium Agreement:

"Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to the street line."
6. The condominium agreement shall be registered on title against the lands to which it applies at the cost of the Owner.

7. Prior to final approval, the Owner shall submit an "as built" survey to the satisfaction of the Vaughan Building Standards Department.
8. Prior to final approval, the Owner shall confirm to the Vaughan Clerk's Department that all required easements and right-of-ways for utility, drainage and construction purposes have been granted to the appropriate authorities.
9. Prior to registration of the condominium plan the Owner shall confirm to the Vaughan Community Planning Department and the Vaughan Clerks 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 Vaughan Finance Department. The Owner also certifies acknowledgment 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. Prior to final approval, the Owner shall confirm to the Vaughan Clerk's Department that all outstanding taxes, development charges and levies, as may be required by the Vaughan Finance Department have been paid.
10. Prior to final approval, all outstanding planning application fees shall have been paid.
11. The Owner shall satisfy all requirements of Vaughan Hydro prior to the registration of the condominium agreement.
12. The Owner shall satisfy all requirements of the Vaughan Fire Department prior to the registration of the condominium agreement.
13. The Owner shall pay by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, or a fixed unit rate of \$2200.00 per unit whichever is higher in accordance with the Planning Act and the city's cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Clearances

14. Final approval for registration may be issued in phases provided that:
 - a) phasing is proposed in an orderly progression, and;
 - b) all government agencies agree to registration by phases and provide the required clearances; clearances will be required for each phase proposed for registration by the Owner; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
15. The City shall advise that Conditions 1 to 14 inclusive have been satisfied, and stating briefly how each condition has been met.



Site Plan

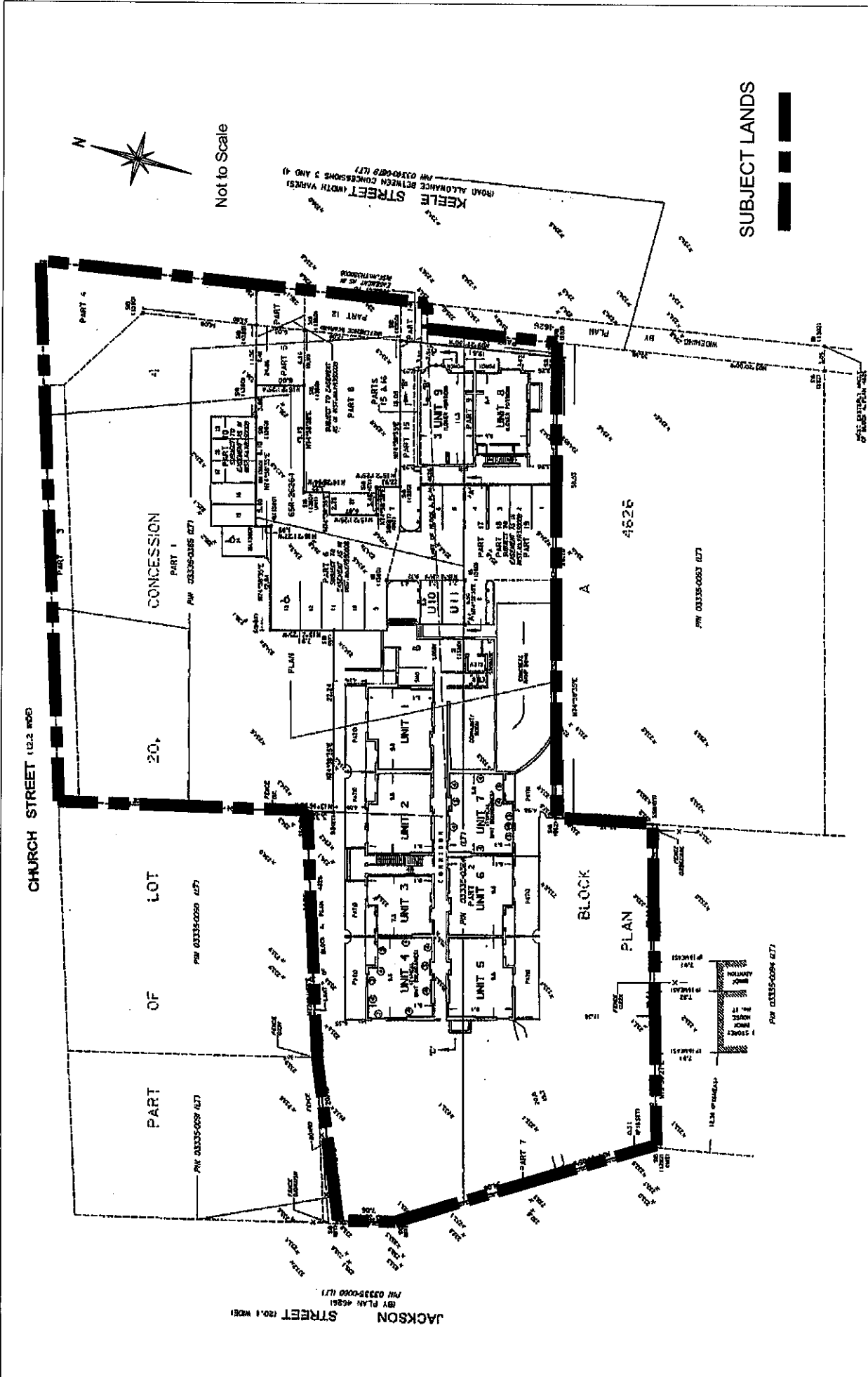
Part Lot 20,
Concession 4
APPLICANT:
ROYAL PATH HOMES INC.



Community Planning Department

Attachment 2

FILE No.:
19CDM - 04V04
RELATED FILES:
Z.96.063 & DA.96.024
March 10, 2004



Attachment 3

FILE No.: 19CDM - 04V04
 RELATED FILES: Z.96.063 & DA.96.024
 March 10, 2004



Community Planning Department

Draft Plan of Condominium

Part Lot 20,
 Concession 4

APPLICANT:
 ROYAL PATH HOMES INC.