

**COMMITTEE OF THE WHOLE    JUNE 7, 2004**

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-04V03**  
**DONATO AND SILVANA DI BENEDETTO**

**Recommendation**

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium 19CDM-04V03 (Donato and Silvana Di Benedetto) prepared by J.D. Barnes Limited and dated February 6, 2004, BE DRAFT APPROVED, subject to the conditions of draft approval contained within Attachment #1.

**Purpose**

On February 27, 2004 the Owners submitted a Draft Plan of Condominium for a road that serves as access for 3 freehold residential lots.

**Background - Analysis and Options**

**Location**

The subject lands are located southwest of Rutherford Road and Highway #27 (110 Simmons Street), in Lot 15, Concession 9, City of Vaughan. The 1.67 ha site has 53m frontage on Simmons Street and is developed with one residence. The site is flat and mainly grassy, with scattered mature trees around the perimeter. The surrounding land uses are:

- North - detached residential (RR Rural Residential Zone)
- South - detached residential (RR Rural Residential Zone)
- East - Simmons Street; detached residential (RR Rural Residential Zone)
- West - railway line, farmland (A Agricultural Zone)

**Official Plan**

The lands are designated "Hamlet" by OPA #600. The "Hamlet" designation permits limited infilling development, which economizes the use of urban space without extending the boundaries of the hamlet area. The primary use in "Hamlets" must be residential and should be serviced by private wells and septic systems. The development must protect the rural and historic character of the hamlets.

The Draft Plan of Condominium conforms to the Official Plan.

**Zoning**

The lands are zoned RR Rural Residential Zone by By-law 1-88, subject to Exception 9(1182). On September 8, 2003, Council approved a zoning amendment application to permit 4 residential dwellings (including the existing dwelling). Council enacted Zoning By-law 14-2004 on January 24, 2004, to implement the approved site plan. The By-law included a requirement for a 9.25 m setback on either side of the driveway centerline, in accordance with Council's direction.

The Draft Plan of Condominium complies with the provisions of By-law 1-88.

## Site Plan

The development will consist of 4 detached dwellings, including the existing dwelling. The lots will range in size from 3733 m<sup>2</sup> to 4125 m<sup>2</sup>. The size of the new dwellings will be approximately 420m<sup>2</sup>, not including the garage area. The existing house has a floor area of 296m<sup>2</sup>. Council approved Site Development Application DA.03.062 (Donato DiBenedetto) on January 12, 2004.

The development will be based around a private (condominium) cul-de-sac road from Simmons Street. The existing house will continue to have direct access from Simmons Street, while the 3 new dwellings will have access from the private (condominium) road. The only common element of the condominium plan will be the road.

## Application Review

The proposed condominium road is in accordance with the site plan approved by Council. The road is 7.0m wide, as approved by Council. There have been no changes to the site plan since its approval.

## Relationship to Vaughan Vision 2007

The proposed development is consistent with the "Hamlet" policies of OPA #600, in that it is infill development within an established development area. Vaughan Vision 2007 encourages managed growth through the implementation of OPA #600.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

## Conclusion

The draft plan of condominium is consistent with the approved site plan. Staff has no objections to the draft plan of condominium, subject to conditions. Should the Committee concur, Draft Plan of Condominium 19CDM-04V03 can be draft approved with the adoption of the recommendation in this report.

## Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Condominium 19CDM-04V03

## Report prepared by:

Todd Coles, Planner, ext. 8634  
Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Manager of Development Planning

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**ATTACHMENT NO. 1**

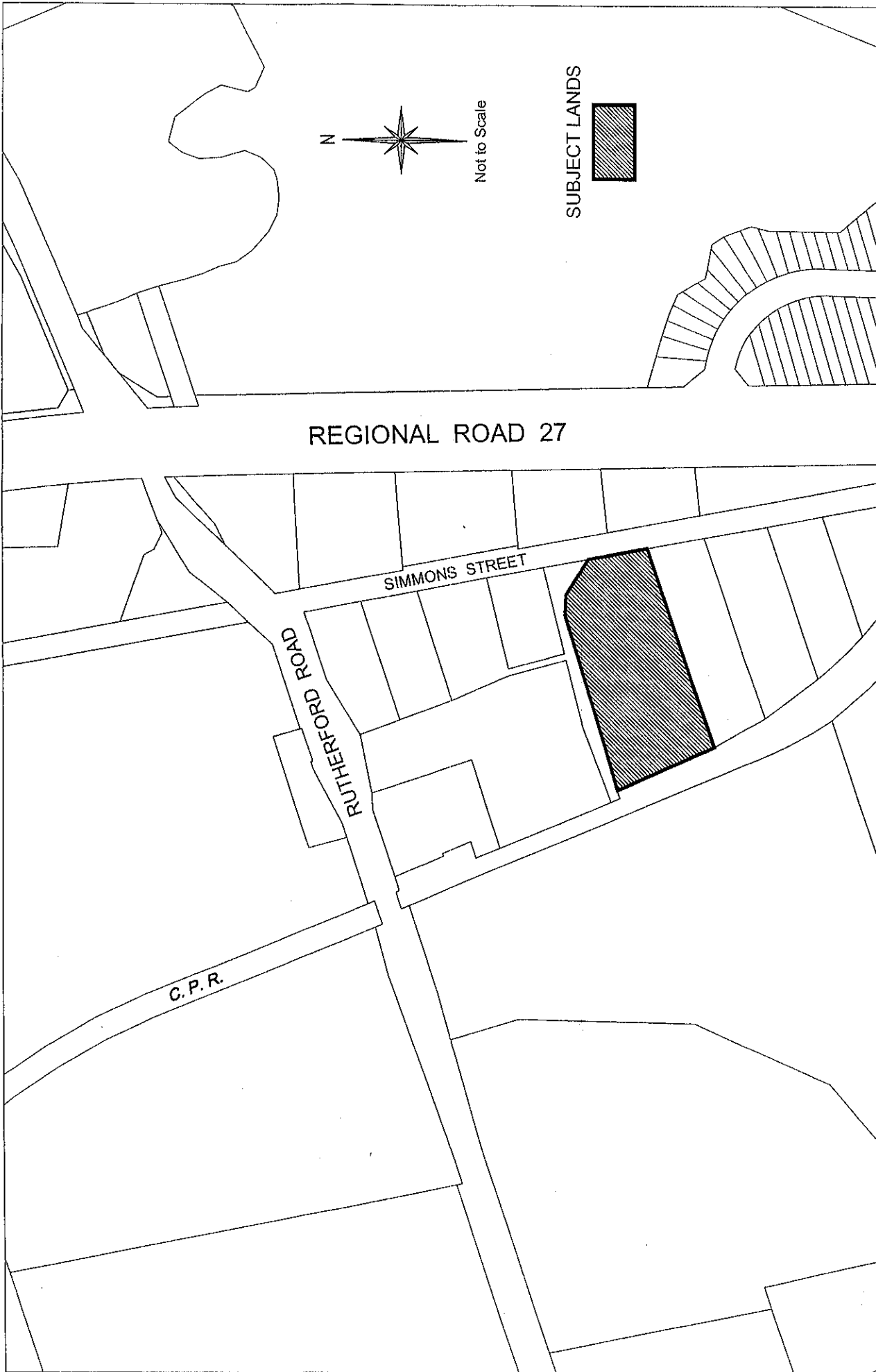
**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM 19CDM-04V03  
DONATO AND SILVANA DI BENEDETTO  
LOT 15, CONCESSION 9, 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-04V03, ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by J.D. Barnes Limited, drawing #04-21-179-00, dated February 6, 2004.
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, 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 condominium agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
5. Prior to final approval, the Owner shall submit an "as built" survey to the satisfaction of the Building Standards Department.
6. 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.
7. 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.
8. 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.



Not to Scale

SUBJECT LANDS



**Location Map**

Part of Lot 15,  
Concession 9

APPLICANT:  
DONATO & SILVANA DIBENEDETTO

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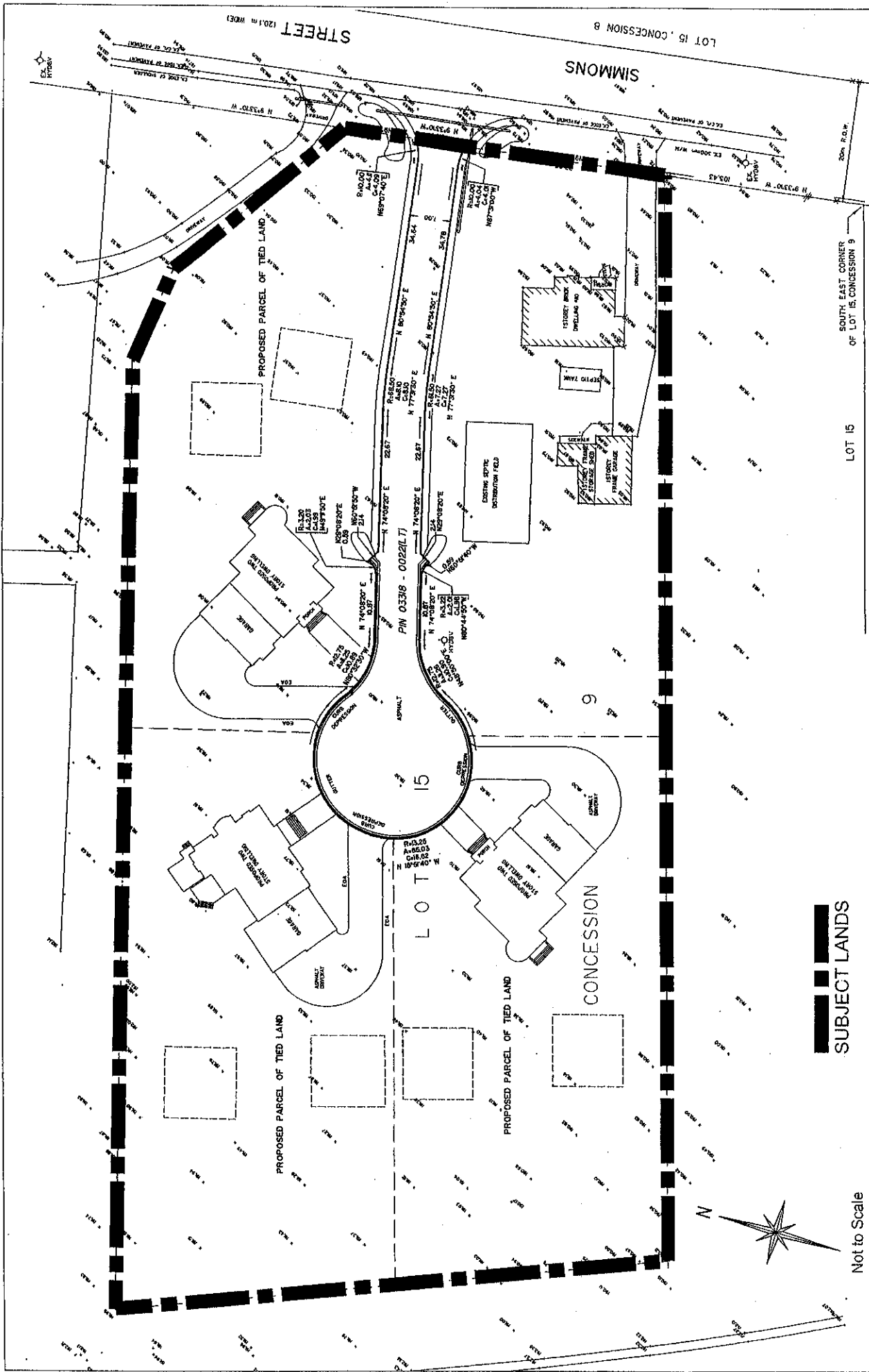
Community Planning Department

**Attachment**

**2**

FILE No.:  
19CDM-04V03

May 12, 2004



**SUBJECT LANDS**

Not to Scale

LOT 15  
SOUTH EAST CORNER  
OF LOT 15, CONCESSION 9

# Attachment 3

FILE No.:  
19CDM-04V03  
May 12, 2004



Community Planning Department

## Draft Plan of Condominium Concession 9

Part of Lot 15,  
Concession 9  
APPLICANT:  
DONATO & SILVANA DIBENEDETTO

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