

COMMITTEE OF THE WHOLE SEPTEMBER 5, 2006

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-06V09 2294 MAJOR MACKENZIE LTD.

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-06V09 (2294 Major Mackenzie Ltd.) 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 a Draft Plan of Condominium Application to create common elements for a mixed-use residential/commercial development consisting of nineteen (19) townhouse units and eight (8) live/work units (ground floor commercial with residential units above) fronting onto Major Mackenzie Drive as shown on Attachment #3.

Background - Analysis and Options

The 0.61 hectare site shown on Attachment #2 is located on the north side of Major Mackenzie Drive, west of Keele Street, in Part of Lot 21, Concession 4 (2294 Major Mackenzie Drive), City of Vaughan. The surrounding land uses are as follows:

- North - existing residential (R3 Residential Zone)
- South - Major Mackenzie Drive; existing commercial (C1 Restricted Commercial Zone)
- East - existing residential and commercial (C1 Restricted Commercial Zone)
- West - existing commercial (C1 Restricted Commercial Zone)

Official Plan

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan), as amended by OPA #533, which permits mixed-use developments. The proposed draft plan of condominium will facilitate a development that conforms to the Official Plan.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(1252). The proposed draft plan of condominium will facilitate a development that complies with the Zoning By-law.

Site Development

On December 12, 2005, Council approved the Draft Plan of Subdivision Application File 19T-05V07 to create one block, under a single registered M-Plan, to facilitate the draft plan of condominium application and the future development of the subject lands for a mixed-use, 27-unit townhouse and office/commercial development.

The draft plan of condominium application includes the creation of several common area elements, as shown on Attachment #3, that are tied in with the approved site plan (File DA.05.038), as shown on Attachment #4. These common elements include the following:

- a) the private road, Golden Spruce Lane (Area 'A'); and
- b) the area for visitor parking spaces, related driveway aisles, temporary snow storage, walkways and community mailbox (Area 'B').

The 0.61ha subject lands has 66.96m frontage on Major Mackenzie Drive with an average lot depth of 100m. One access point from Major Mackenzie Drive to the common element road (Golden Spruce Lane) has been approved by the Region of York. The common element private road will eventually have a pedestrian and vehicular connection to Keele Street through the adjacent development on the lands to the immediate east (10028 to 10036 Keele Street). The site plan agreements for the subject and adjacent lands include the necessary conditions requiring that reciprocal cross-easements be provided to facilitate vehicular and pedestrian access over both sites. A condition of approval to this effect is included in this report.

Application Review

The draft plan of condominium is in accordance with the approved Site Development Application File DA.05.038. As a condition of approval, the Owner will be required to submit an "as-built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

Also, snow removal and garbage/recycling pick-up will be the responsibility of the condominium corporation, and is reflected as a condition in this report.

The Owner will be required to pay to the City a maintenance fee for the enhanced landscape treatment along Major Mackenzie Drive. A condition of approval has been included in this respect.

Relationship to Vaughan Vision 2007

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

Conclusion

The draft plan of condominium 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 19CDM-06V09
4. Approved Site Plan

Report prepared by:

Margaret Holyday, Planner, ext. 8216
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF CONDOMINIUM 19CDM-06V09 (COMMON ELEMENTS) 2294 MAJOR MACKENZIE LTD. LOT 21, CONCESSION 4, CITY OF VAUGHAN

City of Vaughan Conditions

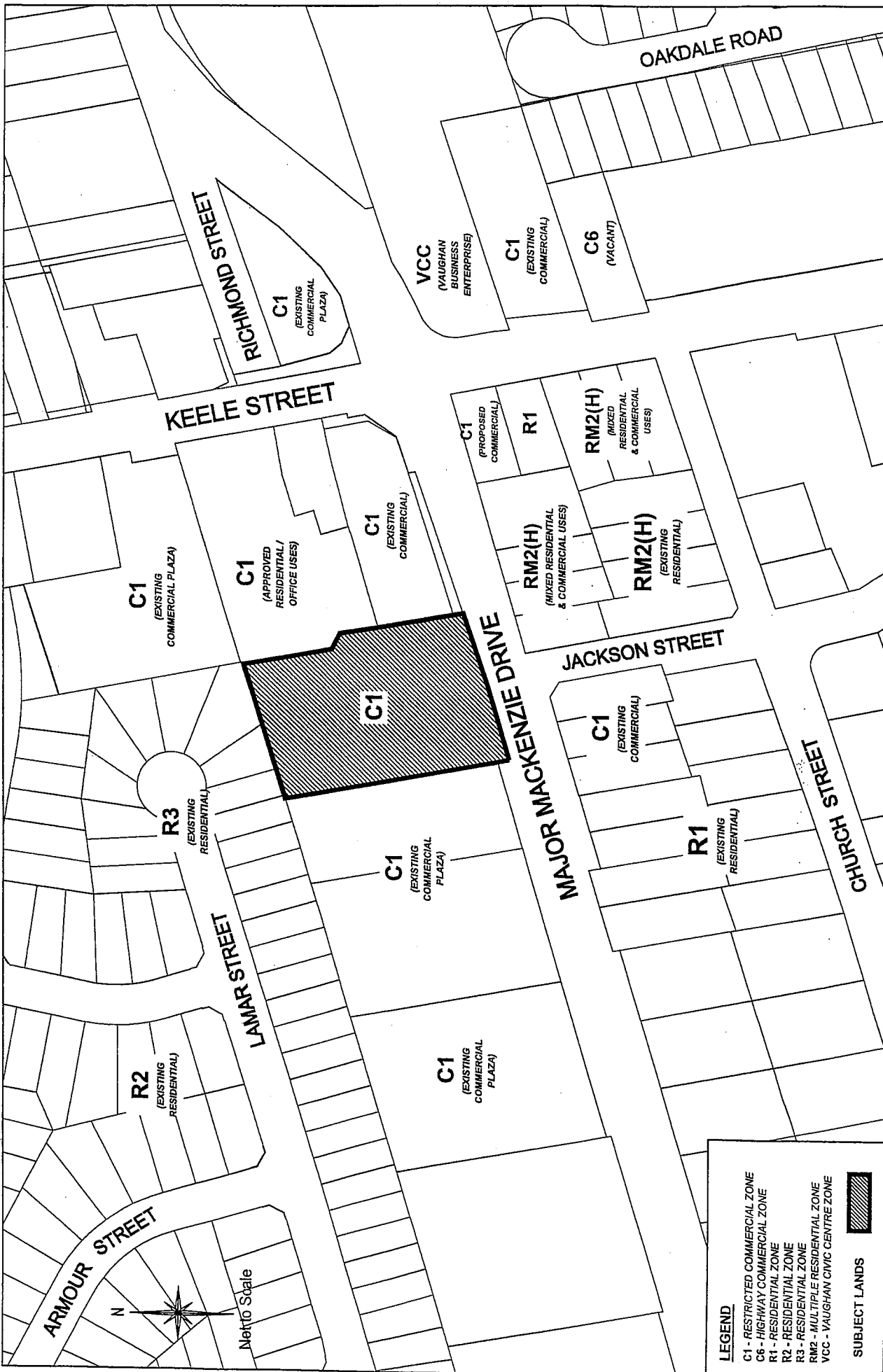
1. The Plan shall relate to a draft plan of condominium, prepared by Krcmar Surveying, drawing #05-009DC01, dated July 21, 2006.
2. Prior to the execution of the condominium agreement, the Owner shall submit a pre-registered plan of condominium to the Development Planning Department.
3. The Owner shall enter into a condominium agreement with the City of Vaughan, and shall agree to satisfy any outstanding site plan 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 on title against the lands to which it applies, at the cost of the Owner. The Owner agrees that the following clause be included in the condominium agreement with the City of Vaughan:

"The Owner acknowledges that Section 28(v) of Schedule 'E' of the Site Plan Agreement between the Corporation of the City of Vaughan, The Regional Municipality of York, and 2294 Major Mackenzie Limited registered on April 20, 2006 as Instrument Number YR-805602 provides, among other things, that if any additional landscaping or features other than tree planting (e.g. raised planters, flower beds, shrubs) (the "Enhanced Landscaping") are required on the Regional Road right-of-way, as a condition of approval set out by Vaughan, then it is the Region's understanding that Vaughan will assume responsibility for the maintenance of the Enhanced Landscaping on the Regional Road right-of-way. In this regard, however, the Owner acknowledges and agrees that the Owner is and shall be responsible, at the Owner's sole cost and expense, for the maintenance of the Enhanced Landscaping on the Regional Road right-of-way pursuant to Section 5 of Schedule 'Y' of the said site plan agreement until the Enhanced Landscaping on the Regional Road right-of-way has been inspected and approved by the Vaughan Development Planning Department in accordance with Section 5(d) of Schedule 'Y' of the said Site Plan Agreement (the "Enhanced Landscape Approval").

After the Enhanced Landscaping Approval is given by Vaughan, Vaughan acknowledges and agrees that Vaughan is and shall be responsible for the maintenance of the Enhanced Landscaping on the Regional Road right-of-way. In this regard, however, upon execution of this Condominium Agreement, the Owner agrees to and shall provide Vaughan a certified cheque payable to Vaughan in the amount of \$14,224.00 for the maintenance by Vaughan of the Enhanced Landscaping on the Regional Road right-of-way after the Enhanced Landscaping Approval is given by Vaughan."

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; and,


- d) the Owner shall supply and install, and the Condominium Corporation shall maintain all mail equipment to the satisfaction of Canada Post.
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 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 grant an easement over the lands described as Part 28 on the draft Reference Plan prepared by Krcmar Surveyors Ontario Land Surveyors (Dwg 05-0090C01) in favour of the Owner of the lands immediately to the east of the Owner's property (the "Adjoining Lands") in order to permit the Owner of the residential development being constructed on the Adjoining Lands (once same is completed) to use the private roadway on Part 28 for pedestrian and vehicular ingress and egress to and from Major Mackenzie Drive. Such easement may be created in accordance with the provisions of Section 20(2) (b) of the Condominium Act, 1998 by including this condition as an approval authority requirement in the Declaration creating the common elements condominium on the lands including Part 28. Such easement shall only take effect upon completion of a private roadway on the Adjoining Lands easterly to Keele Street and the granting of an easement thereover in favour of the Owners of this development and the Adjoining Lands for ingress and egress to their respective properties from both Keele Street and Major Mackenzie Drive.
9. 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.
10. The City shall advise that Conditions 1 to 9 have been satisfied.



LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- VCC - VAUGHAN CIVIC CENTRE ZONE

SUBJECT LANDS



Location Map

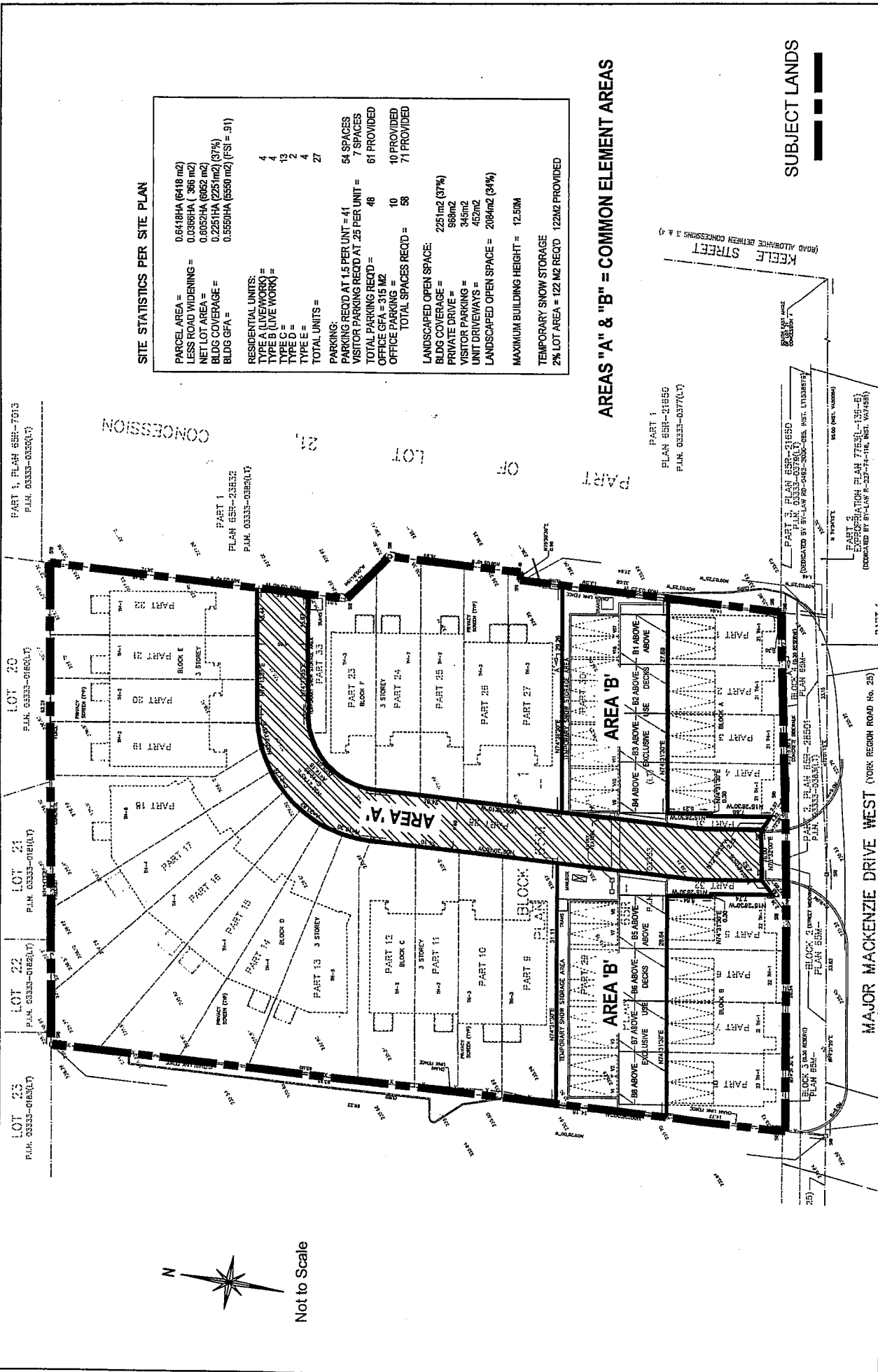
Part of Lot 21,
Concession 4
APPLICANT:
 2294 MAJOR MACKENZIE LTD.



Development Planning Department

Attachment 2

FILE No.:
 19CDM-06V09
 RELATED FILES:
 DA.05.038 & Z.04.045
 August 11, 2006



SITE STATISTICS PER SITE PLAN

PARCEL AREA =	0.6418HA (6418 m2)
LESS ROAD WIDENING =	0.0396HA (396 m2)
NET LOT AREA =	0.6022HA (6022 m2)
BLDG COVERAGE =	0.2251HA (2251m2) (37%)
BLDG GFA =	0.5550HA (5550 m2) (FSI = 91)
RESIDENTIAL UNITS:	
TYPE A (LIVE/WORK) =	4
TYPE B (LIVE/WORK) =	13
TYPE C =	2
TYPE D =	4
TYPE E =	27
TOTAL UNITS =	
PARKING:	
PARKING REQD AT 1.5 PER UNIT = 41	54 SPACES
VISITOR PARKING REQD AT .25 PER UNIT =	7 SPACES
TOTAL PARKING REQD =	48
OFFICE GFA = 315 M2	
OFFICE PARKING =	10 PROVIDED
TOTAL SPACES REQD =	58
71 PROVIDED	
LANDSCAPED OPEN SPACE:	
2251m2 (37%)	
BLDG COVERAGE =	588m2
PRIVATE DRIVE =	345m2
VISITOR PARKING =	45m2
UNIT DRIVEWAYS =	2084m2 (34%)
LANDSCAPED OPEN SPACE =	
MAXIMUM BUILDING HEIGHT =	12.50M
TEMPORARY SNOW STORAGE	
2% LOT AREA = 122 M2 REQD	122M2 PROVIDED

AREAS 'A' & 'B' = COMMON ELEMENT AREAS

SUBJECT LANDS

Attachment 3
 FILE No.: 19CDM-06V09
 RELATED FILES: DA.05.038 & Z.04.045
 August 15, 2006

City of Vaughan
 Development Planning Department

Draft Plan of Condominium
 Part of Lot 21, Concession 4
 APPLICANT: 2294 MAJOR MACKENZIE LTD.
 N:\DPT\ATTACHMENTS\19\19cdm-06v09

SITE PLAN
2294 MAJOR MACKENZIE DR
MAPLE
2294 MAJOR MACKENZIE LTD
DEVELOPMENTS

SITE STATISTICS:
 PARCEL AREA = 0.6418HA (6418 m²)
 LESS ROAD WIDENING = 0.0388HA (388 m²)
 NET LOT AREA = 0.6032HA (6032 m²)
 BLDG COVERAGE = 0.2251HA (2251 m²) (37%)
 BLDG GFA = 0.5590HA (5590 m²) (F&I = 91)

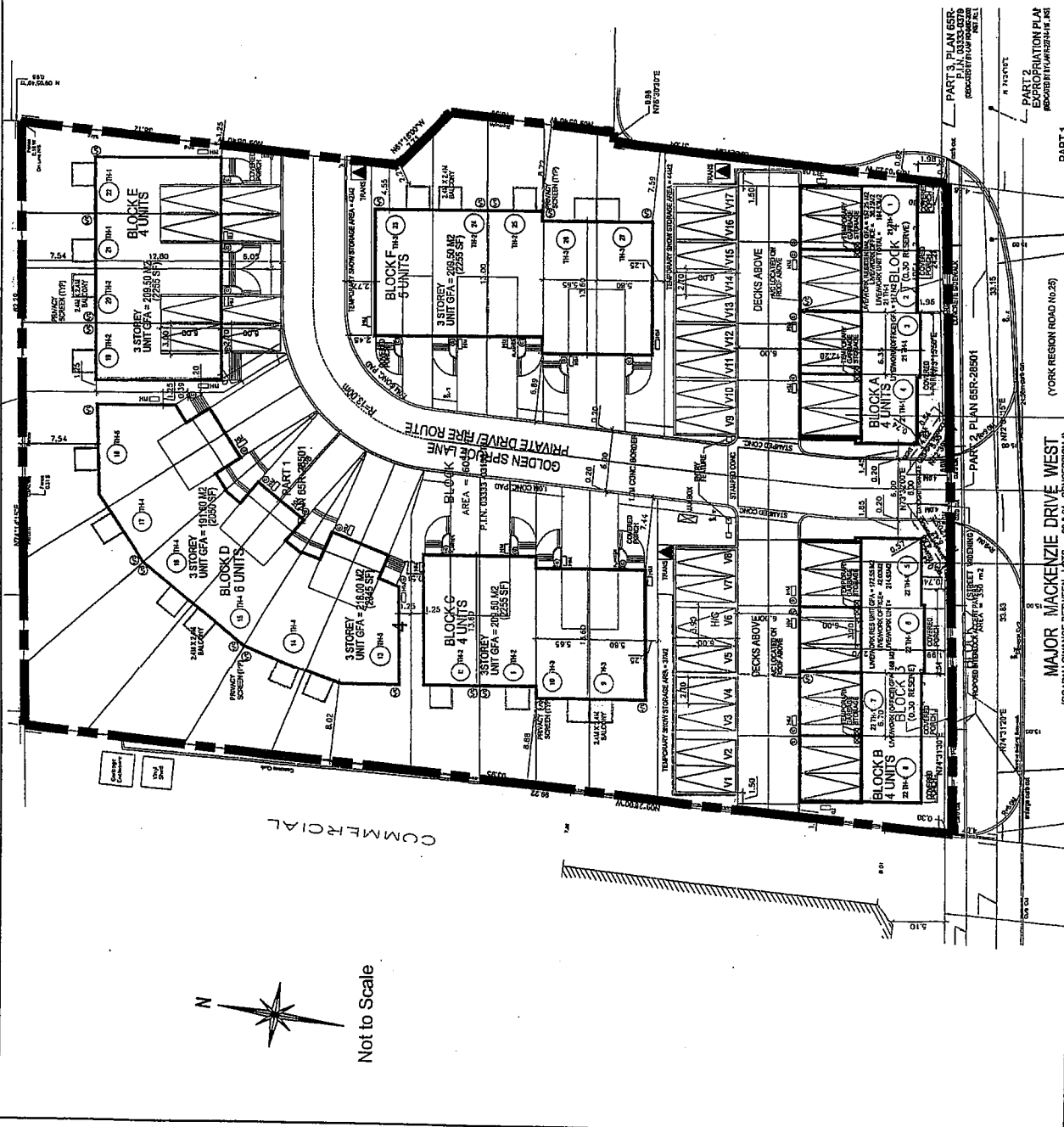
RESIDENTIAL UNITS:
 TYPE A (VIEWWORK) = 4
 TYPE B (VIEWWORK) = 13
 TYPE C (LIVE WORK) = 12
 TYPE D = 4
 TYPE E = 4
TOTAL UNITS = 27

PARKING:
 PARKING REQD AT 1.5 PER UNIT = 41
 VISITOR PARKING REQD AT .25 PER UNIT = 7 SPACES
 TOTAL PARKING REQD = 48
 OFFICE GFA = 315 M²
 OFFICE PARKING REQD = 10 PROVIDED
TOTAL SPACES REQD = 58
 10 PROVIDED
 71 PROVIDED

LANDSCAPED OPEN SPACE: 2251m² (37%)
 BLDG COVERAGE = 388m²
 PRIVATE DRIVE = 345m²
 VISITOR PARKING = 452m²
 UNIT DRIVEWAYS = 2084m² (34%)
LANDSCAPED OPEN SPACE = 12.50M

MAXIMUM BUILDING HEIGHT = 12.50M
TEMPORARY SNOW STORAGE
 2% LOT AREA = 122 M² REQD 122M² PROVIDED

SUBJECT LANDS



Approved Site Plan

Part of Lot 21,
 Concession 4
 APPLICANT:
 2294 MAJOR MACKENZIE LTD.



Development Planning Department

Attachment

FILE No.:
 19CDM-06V09
 RELATED FILES:
 DA.05.038 & Z.04.045
 August 11, 2006

4