

COMMITTEE OF THE WHOLE MARCH 26, 2006

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-06V11
BATH-VON LIMITED**

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-06V11 (Bath-Von 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.

Communications Plan

N/A

Purpose

The Owner has submitted an application on the subject lands shown on Attachment #2 for approval of a Draft Plan of Condominium to create common elements (ie. private road, visitor parking, walkways and private parkette) for a 47-unit residential townhouse development, as shown on Attachment #3.

Background - Analysis and Options

The 1.32 ha subject lands shown on Attachments #2 and #3 are located at the southwest corner of Ner Israel Drive and Bathurst Street, being Block 249 on Registered Plan 65M-3618, (8900 Bathurst Street), City of Vaughan.

The development received site plan approval from Council on December 12, 2005, and is located within a registered plan of subdivision. In order to create the individual freehold lots, the Applicant is to submit a Part Lot Control application. The common element areas, including the walkways, open space amenity areas, visitor parking and private roads will be created through the subject Draft Plan of Condominium application (19CDM-06V11).

The surrounding land uses are:

- North - Ner Israel Drive; vacant (RVM2 Residential Urban Village Multiple Family Zone Two)
- South - stormwater management pond facility (OS1 Open Space Conservation Zone)
- East - Bathurst Street; recreational use, tennis club (Town of Richmond Hill)
- West - stormwater management pond facility (OS1 Open Space Conservation Zone)

Official Plan

The subject lands are designated "Low Density Residential" by OPA #600. However, the approved Block 10 Plan further describes the lands as "Medium Density Residential". The "Medium Density Residential/Commercial" designation in OPA #600 permits street and block townhouse uses at a density of between 17-40 units/ha (22 - 53 units). At a net density of 35.61 units/ha, the subject proposal consisting of 47 townhouse units conforms to the "Medium Density Residential/Commercial" designation and the Council approved Block Plan.

Zoning

The subject lands are zoned RVM2 Residential Urban Village Multiple Zone Two by By-law 1-88, subject to site-specific Exception 9(1063). The RVM2 Zone permits the proposed townhouse dwellings and development.

Site Design

The 1.32 ha triangular shaped site has 145m frontage along Ner Israel Drive and 152 m flankage along Bathurst Street as shown on Attachment #3. The site will be developed with direct driveway access from Ner Israel Drive for the 8 lots which front onto this street, and one full movement access at the northwest corner of the site and a right-in/right-out access at the northeast corner of the site that will provide vehicular access to the internal lots.

The development proposes a total of 47 units, one less than was site plan approved by Council at their meeting on December 12, 2005. The 47 lots will be serviced by a private common element condominium road.

The common elements also include 12 visitor parking spaces, which will be provided in clusters situated at three different locations on the subject lands.

Private walkways are located throughout the townhouse development, which also lead to a private parkette at the southeast corner of the site. The walkways and parkette will be addressed as common elements within the condominium.

Garbage and Recycling Collection and Snow Removal

The collection of garbage and recycling, and the removal of snow will be administered privately by the Condominium Corporation. The owner is to include this information in all Offers of Sale, Purchase or lease and in the Condominium Declaration.

Region of York

The Region of York Planning Department has no objections to the approval of the draft plan of condominium, subject to the condition of approval in Attachment #1, with respect to the Owner satisfying all Regional site plan matters to the satisfaction of the Region of York Transportation and Works Department.

Application Review

The draft plan of condominium is in accordance with the approved site plan (File DA.05.029). As a condition of approval, the Owner will be required to submit an "as-built" survey of the road and other common elements to the satisfaction of the Vaughan Engineering Department, prior to the registration of the final condominium plan.

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".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the proposed application for Draft Plan of Condominium, which is consistent with the approved site plan, and is in accordance with the provisions of the Official Plan and the Zoning By-law. 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 (Common Elements)

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF CONDOMINIUM 19CDM-06V11 (COMMON ELEMENTS)

BATH-VON LIMITED

LOT 13, CONCESSION 2, 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-06V11, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Schaffer & Dzaldov Limited, drawing #06-236-00A, dated September 15, 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 conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary.
4. The following provisions 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 shall supply and install, and the Condominium Corporation shall maintain all mail equipment to the satisfaction of Canada Post;
 - e) the Owner shall include in all Offers of Sale, Purchase or Lease and in the Condominium Declaration, clauses 4a, 4b, 4c, and 4d as identified above.
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 for common elements road to the satisfaction of the Engineering Department and the Development Planning Department.

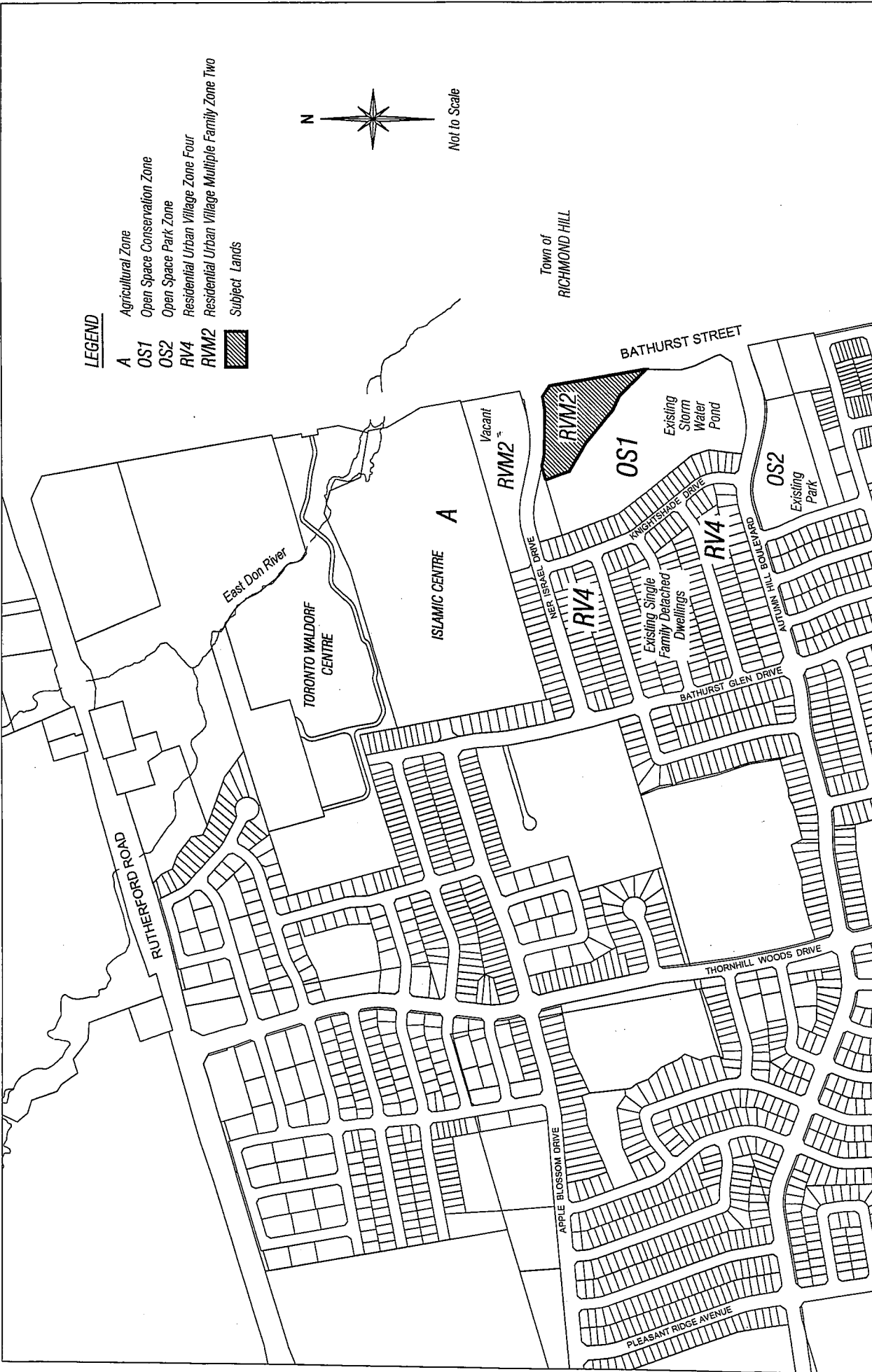
7. Prior to final approval, the Owner shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
8. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Finance Department.

Region of York Condition

9. Prior to final approval, the Owner shall have addressed all Regional conditions of site development approval for Regional File No. SP-V-063-05, to the satisfaction of the Region of York Transportation and Works Department.

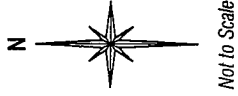
Clearances

10. The Vaughan Development Planning Department shall advise that the City's Conditions 1 to 8 have been satisfied.
11. The Region of York Planning Department shall advise the Vaughan Development Planning Department that the Region of York's Condition 9 has been satisfied.



LEGEND

- A Agricultural Zone
- OS1 Open Space Conservation Zone
- OS2 Open Space Park Zone
- RV4 Residential Urban Village Zone Four
- RVM2 Residential Urban Village Multiple Family Zone Two
- Subject Lands



Town of
RICHMOND HILL

Location Map

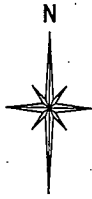
Part of Lot 13,
Concession 2
APPLICANT:
BATH-VON LIMITED
N:\DFT\1 ATTACHMENTS\VA\46-05.029



Development Planning Department

Attachment 2

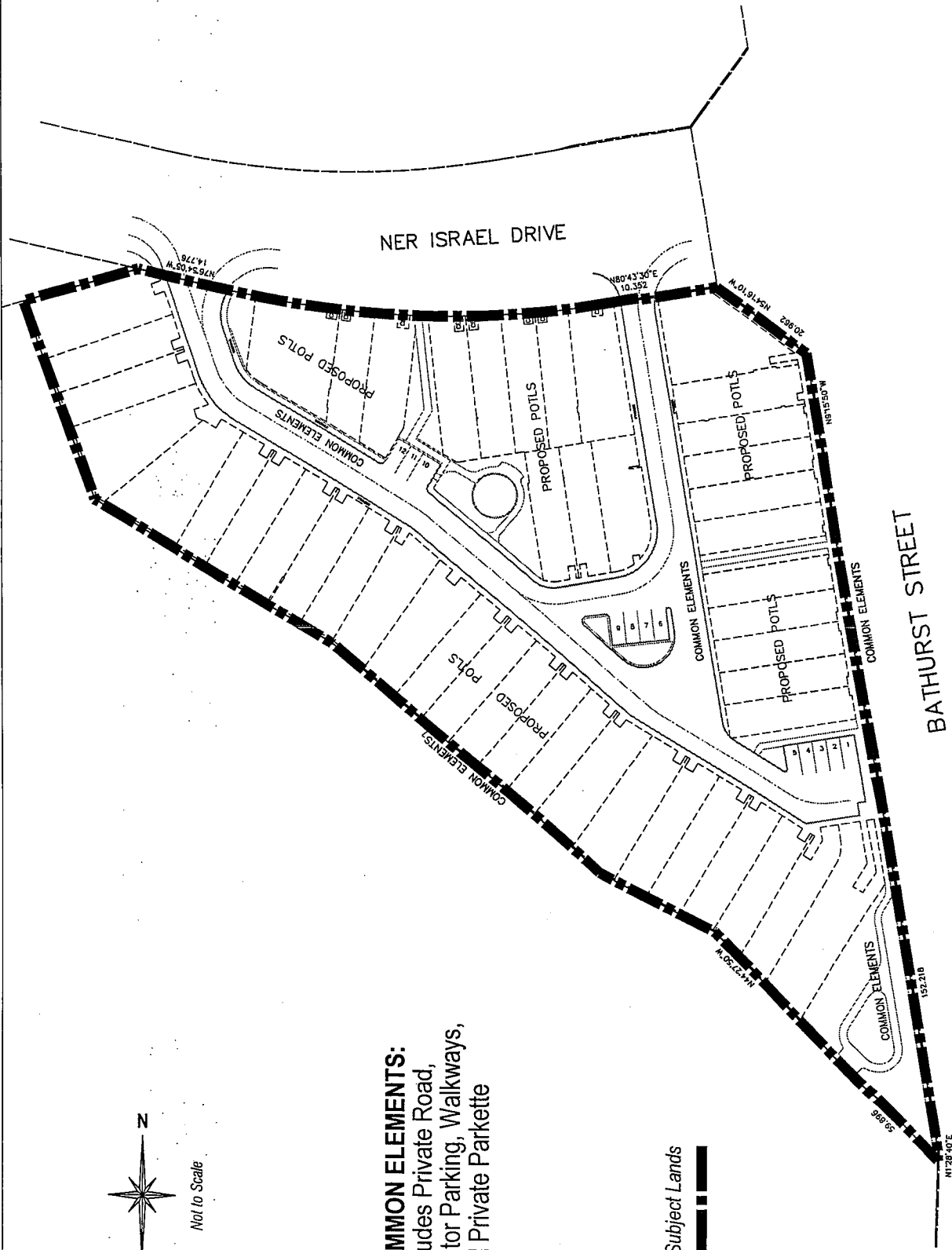
FILE No.:
19CDM-06V11
RELATED FILE:
DA.05.029
October 20, 2006



Not to Scale

COMMON ELEMENTS:
Includes Private Road,
Visitor Parking, Walkways,
and Private Parkette

Subject Lands



Draft Plan of Condominium (Common Elements)

APPLICANT:
BATH-VON LIMITED

Part of Lot 13,
Concession 2

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The City Above Toronto

Development Planning Department

Attachment 3

FILE No.:
19CDM-06V11
RELATED FILE:
DA.05.029
November 20, 2006