

COMMITTEE OF THE WHOLE JANUARY 21, 2008

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-07V12 PINE GROVE AT KIPLING INC.

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium File 19CDM-07V12 (Pine Grove At Kipling Inc.) BE APPROVED, subject to the conditions of approval set out on 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 for Draft Plan of Condominium (Standard) approval on the subject lands shown on Attachment #2, consisting of a 5-storey building having 102 residential apartment units, and served by 168 parking spaces. The 0.6291 ha site represents Phase Two of a two phased development. The building is currently under construction.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the west side of Kipling Avenue, north of Woodbridge Avenue, being Lots 10, 11 and 12 on Plan 546 (8018, 8026, 8032 and 8048 Kipling Avenue), City of Vaughan.

The proposed Draft Plan of Condominium is consistent with the site plan (File DA.05.057), which was approved by the Ontario Municipal Board on May 29, 2007 through Board Order 1680. The development represents Phase 2 of the overall development of the subject lands. Phase 1 is approved and is comprised of 14 semi-detached units and 1 detached unit under a separate condominium corporation, as shown on Attachment #3. The 5-storey building that is subject of this application will function as a condominium complex with access to a private driveway to be shared with Phase 1 (File 19CDM-07V11). This private driveway will be located within the condominium for Phase 2 with reciprocal easements and cost sharing agreements entered into by both condominium corporations to maintain ingress and egress and the sharing of the surface visitor parking. In addition, an easement in favour of the lands to the immediate west (CPR lands) of the development shall also be provided.

The surrounding land uses are as follows:

- North - Phase 1 semi-detached and detached dwelling units under construction (RA2 Apartment Residential Zone)
- South - existing residential (R3 Residential Zone)
- East - Kipling Avenue; existing residential dwellings (R3 Residential Zone), vacant/open space (OS2 Open Space Park Zone)
- West - existing CPR railway line (M3 Transportation Industrial Zone) subject to current development applications for 54 stacked townhouse units (Files OP.07.005 and Z.07.036)

Official Plan/Zoning

The subject lands are designated "Mixed Use Commercial" by OPA #644, which permits the proposed 5-storey, 102 unit apartment building (Phase 2). The lands are zoned RA2 Apartment Residential Zone, by By-law 1-88, subject to Exception 9(1272). The draft plan of condominium for Phase 2 conforms to the Official Plan and complies with the Zoning By-law.

Phase One Design

The proposed phasing for the overall development is shown on Attachment #3. Phase 2 includes the lands for the 5-storey condominium building and the private driveway. The appropriate cross easements for vehicle and pedestrian access must be provided in favour of Phase 1 and the CPR lands to the west, prior to occupancy.

Waste Collection/Recycling and Snow Removal

The collection of waste and recycling, and the removal of snow will be the responsibility of the Condominium Corporation, and is reflected as a condition in this report.

Since the site development application was approved prior to the "Waste Collection Design Standards Policy" adopted by Council in May 2007, this development will not include a multiple-sort disposal system.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly 'A-5', "Plan and Manage Growth".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the Draft Plan of Condominium application, which 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 (19CDM-07V12)
2. Location Map
3. Draft Plan of Condominium

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
/CM

MARCO RAMUNNO
Director of Development Planning

ATTACHMENT NO. 1

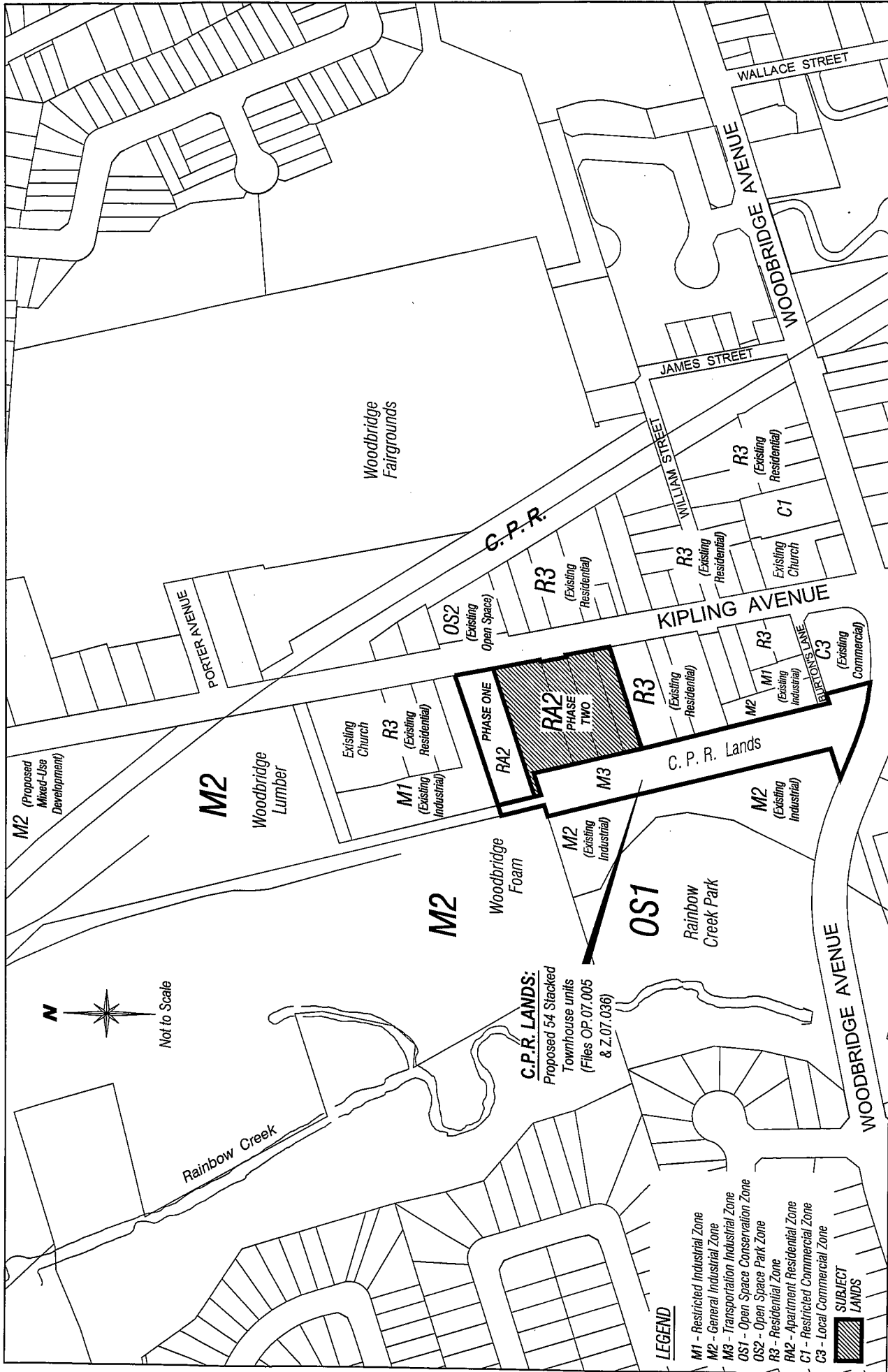
CONDITIONS OF APPROVAL

**DRAFT PLAN OF CONDOMINIUM 19CDM-07V12 (STANDARD)
PINEGROVE AT KIPLING INC.
LOTS 7 AND 8, CONCESSION 8, 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-07V12, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Krcmar Surveying drawing #05-140DC02, dated September 26, 2007.
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) that the developer/builder/owner or condominium corporation shall contact Canada Post to ensure a suitable mailbox/mailroom location to the satisfaction of Canada Post.
 - e) the Condominium Corporation shall provide the necessary pedestrian and vehicle cross easements in favour of the CPR lands to the immediate west and Phase 1 to the north.
5. Prior to final approval, the Owner shall provide written confirmation that the necessary cross easements over Phase 2 of the development in favour of the CPR lands to the immediate west and Phase 1 to the north have been provided.
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 Building Standards Department.
8. 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.
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.



Location Map

Part of Lots 7 & 8,
Concession 8

APPLICANT:
PINE GROVE AT KIPLING INC.

N:\07V11 ATTACHMENTS\19\19cdm-07v12



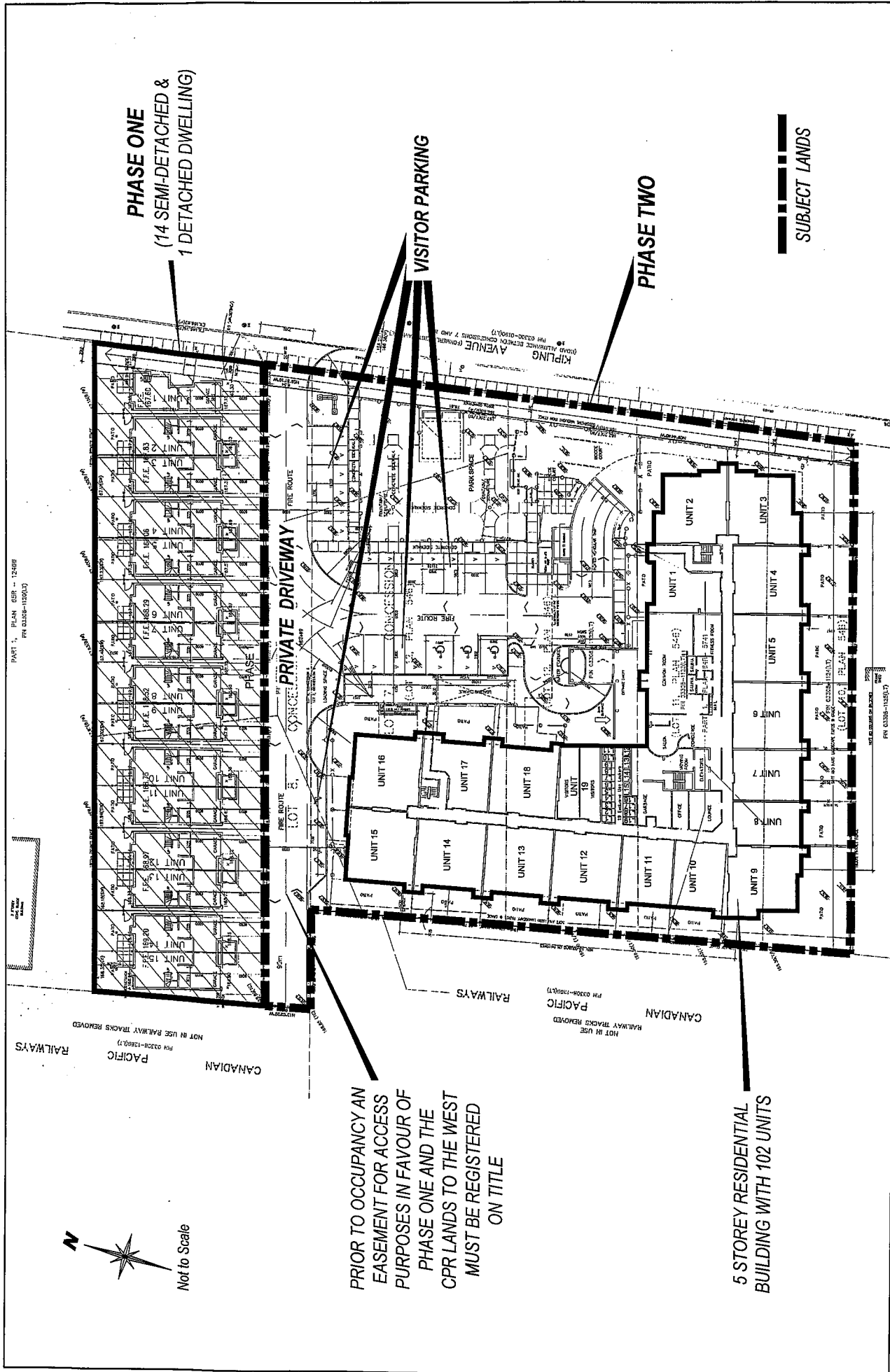
The City Above Toronto

Development Planning Department

Attachment

2

FILE No.:
19CDM-07V12
RELATED FILES:
19CDM-07V11 & DA.05.057
December 06, 2007



Draft Plan of Condominium

Part of Lots 7 & 8,
Concession 8

APPLICANT:
PINE GROVE AT KIPLING INC.

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The City Above Toronto

Development Planning Department

Attachment

3
FILE No.:
19CDM-07V12
RELATED FILES:
19CDM-07V11 & DA.05.057
December 06, 2007