

Committee of the Whole (1) Report

DATE: Tuesday, November 30, 2021

WARD: 3

TITLE: PRIMA VISTA ESTATES INC.

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-20V002
VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Common Elements) File 19CDM-20V002 for the subject lands shown on Attachment 2 to create a common elements condominium tenure for an approved townhouse development shown on Attachments 3 to 5.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Common Elements) Application to create a common elements condominium tenure for an approved townhouse development.
- The Development Planning Department supports the Draft Plan of Condominium File 19CDM-20V002, subject to conditions, as it will implement a Council approved development.

Recommendation

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-20V002 BE APPROVED, to create a common elements condominium tenure, as shown on Attachment 3, subject to the Conditions of Draft Plan of Condominium Approval identified in Attachment 1.

Background

The 3.11 ha subject lands (the 'Subject Lands') shown on Attachment 2 are located east of Pine Valley Drive and south of Teston Road. The Subject Lands and surrounding land uses are shown on Attachment 2.

The Ontario Land Tribunal approved the Implementing Zoning By-law and Draft Plan of Subdivision for the Subject Lands

The Ontario Municipal Board ('OMB'), now the Ontario Land Tribunal ('OLT') on April 6, 2016, issued a decision (Case No. PL150868) to conditionally approve Zoning By-law Amendment File Z.03.024 ('Zoning Amendment') and Draft Plan of Subdivision 19T03V05 ('Draft Plan') which included the Subject Lands.

The Local Planning Appeal Tribunal ('LPAT') (previously the OMB), on May 14, 2020 issued a final order approving the Zoning By-law Amendment as By-law 60-2020, to rezone the Subject Lands from "A Agricultural Zone" to "RT1(H) Residential Townhouse Zone" with the addition of the Holding Symbol "(H)".

Council, on October 21, 2020, approved Zoning By-law Amendment File Z.20.021 to remove the Holding Symbol "(H)" from the Subject Lands, effectively zoning the Subject Lands "RT1 Residential Townhouse Zone" as shown on Attachment 2.

On April 27, 2021, the LPAT (now OLT) issued revised conditions of approval for the Draft Plan. The Subject Lands, located within Phase 4 of the Draft Plan, were registered on February 3, 2021 as Block 7 on Registered Plan 65M-4681.

Council approved Site Development Application File DA.18.029 to permit townhouse and semi-detached dwelling units on the Subject Lands

Council, on May 27, 2020, approved Site Development File DA.18.029 ('Site Plan') to facilitate 66 townhouse and 2 semi-detached dwelling units serviced by 6 m wide private common-element condominium roads with 16 visitor parking spaces, 423 m² of amenity space and 11,031 m² of landscaped open space ('Development') as shown on Attachments 3 to 5. In June 2021, the Site Plan Letter of Undertaking for the Site Plan was executed for the Subject Lands.

Previous Reports/Authority

Previous reports related to the Subject Lands can be found at the following links:

[June 17, 2014, Committee of the Whole \(Item 57, Report 30\)](#)

[May 5, 2015, Committee of the Whole \(Item 4, Report 20\)](#)

[July 16, 2015, Special Committee of the Whole \(Item 11, Report 29\)](#)

[May 20, 2020, Committee of the Whole \(Item 7, Report 20\)](#)

Analysis and Options

A Draft Plan of Condominium (Common Elements) Application was submitted to create a condominium tenure for the Subject Lands

Prima Vista Estates Inc. (the 'Owner') has submitted Draft Plan of Condominium File 19CDM-20V002 (the 'Application') to create a common elements condominium tenure for the Development. The common elements include the internal private roads, visitor parking, pedestrian walkways, a community mailbox, landscaping elements, service connections and infrastructure, as shown on Attachments 3 and 4.

The Application is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended

The Provincial Policy Statement, 2020 ('PPS') provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3(5) of the *Planning Act*, all land use decisions in Ontario "shall be consistent with" the PPS. The Application is consistent with the PPS, specifically Section 1.1.3 to encourage development within Settlement Areas and the efficient use of land by supporting intensification and redevelopment. The Application will efficiently use planned and existing infrastructure and services in accordance with Section 1.6.6 of the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('Growth Plan') guides decision making on the development of land and includes encouraging compact built form, transit supportive communities, diverse land uses. In accordance with Section 3(5) of the *Planning Act*, Council's planning decisions shall conform to the Growth Plan. The Application is located within a Settlement Area and Delineated Built-up Area providing residential lands with existing and planned municipal water and wastewater systems, in accordance with Section 2.2.1 of the Growth Plan.

The Subject Lands are located within a "Community Area" on Schedule 1 - Urban Structure, in Volume 1 of Vaughan Official Plan 2010 ('VOP 2010') and are located within the Block 40/47 Planning Area. The Application makes efficient use of land by adding to the range of residential building forms that contribute to establishing a complete community in accordance with Sections 2.2.1.4 and 2.2.6.2 of the Growth Plan. In consideration of the above, the Application conforms to the Growth Plan.

Consistency with the PPS and conformity with the Growth Plan were established through the approvals of the Zoning Amendment, Draft Plan and Site Plan for the Subject Lands. Accordingly, the PPS and Growth Plan have been satisfied through the Development. The Application is consistent with the PPS and conforms to the Growth Plan.

The Application conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" by the YROP. Section 5.0 of the YROP states that "Growth will also occur

in new community areas...throughout the Region.” Section 3.5.4 of the YROP, requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.”

The Application, through the Development, will add to the range of housing forms in the community including semi-detached and townhouse dwellings, and will establish an internal pedestrian linkage to the public pedestrian walkways that connect to a neighbourhood park. The Application conforms to the YROP.

The Application conforms to VOP 2010

The Subject Lands are located in a “Community Area” on Schedule 1 - Urban Structure of VOP 2010, and are designated “Medium Density Residential/Commercial” by VOP 2010, Volume 2, Section 12.13 Block 40/47. The “Medium Density Residential/Commercial” designation permits semi-detached and townhouse dwelling units between 11 to 80 units per net residential hectare in accordance with Section 12.13.2.7 of VOP 2010. The Development yields a density of 24.9 units per hectare. The Application, through the Development, conforms to VOP 2010.

The Condominium Plan is consistent with Site Development File DA.18.029

The Draft Plan of Condominium (Common Elements) shown on Attachment 3 is consistent with the approved Site Plan for the Subject Lands shown on Attachments 4 and 5. The Development Planning Department has no objection to the Application, subject to the conditions identified in Attachment 1.

The Development Engineering Department has no objection to the Application

The Development Engineering (‘DE’) Department has no objection to the Application, subject to the inclusion of warning clauses pertaining to the Teston Road improvements and realignment, as well as other noise levels in the area such as the commercial use to the west, in the Condominium Declaration. Conditions to this effect are included in Attachment 1.

The Condominium Corporation is responsible for waste collection services and snow removal

All waste and recycling collection services, and snow removal shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect shall be included in the Condominium Agreement, as identified in Attachment 1.

The various utilities have no objection to the Application

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada, and Rogers Communications Inc. have no objection to the Application, subject to the Owner coordinating servicing, connections, easements and locates with the required utility company prior to the commencement of any site works. A condition to this effect is included Attachment 1.

Canada Post has no objection to the Application

The Development will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Canada Post has no objection to the Application, subject to their conditions identified in Attachment 1.

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Application, subject to their conditions identified in Attachment 1.

Conclusion

The Development Planning Department supports the Application to create a common elements condominium tenure for the Development, subject to the conditions identified in Attachment 1, as it is consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010 and implements a Council approved development.

For more information, please contact: Judy Jeffers, Planner, at extension 8645.

Attachments

1. Conditions of Draft Approval
2. Context and Location Map
3. Draft Plan of Condominium (Common Elements) File 19CDM-20V002
4. Approved Site Plan File DA.18.029
5. Approved Building Elevations Block 1 (Typical) File DA.18.029

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