

Committee of the Whole (2) Report

DATE: Tuesday, April 12, 2022

WARD: 4

**TITLE: VMC EAST BLOCK RESIDENCES, AS A GENERAL PARTNER
AND ON BEHALF OF VMC EAST BLOCK RESIDENCES
LIMITED PARTNERSHIP
DRAFT PLAN OF CONDOMINIUM FILES
19CDM-21V001 AND 19CDM-21V002
1000 PORTAGE PARKWAY AND 7890 JANE STREET
VICINITY OF PORTAGE PARKWAY AND JANE STREET**

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 (Standard) File 19CDM-21V001 to create condominium tenure for Building B3 – 50-storeys (Jane Street), and Draft Plan of Condominium (Standard) File 19CDM-21V002 to create condominium tenure for Building B1 – 45-storeys (Portage Parkway). These Applications facilitate the condominium tenure for the previously approved mixed-use site development plan for Transit City Towers 4 and 5 (File DA.18.074) in the Vaughan Metropolitan Centre (VMC), as shown on Attachment 3. The third building (Building B2) on this site is a purpose-built rental building and is not subject to any condominium tenure. The proposal includes unitization of residential units, storage lockers, bicycle lockers, establishment of commonly accessible areas such as amenity areas, lobbies, elevators and stairwells within each building, and parking spaces within the underground parking structure serving the residential, visitor, and retail users for all 3 mixed-use buildings together.

Report Highlights

- The Draft Plan of Condominiums (Standard) consist of areas dedicated to create condominium tenure for 1,026 residential units, bicycle and parking units, and commonly accessible areas including amenity areas, lobbies, elevators and stairwells.
- This report recommends draft approval of Draft Plan of Condominium (Standard) Files 19CDM-21V001 and 19CDM-21V002, subject to conditions, to create the condominium tenure for the development that is consistent with the approved Site Development File DA.18.074, subject to Conditions of Draft Approval in Attachment 1.

Recommendations

1. THAT Draft Plan of Condominium (Standard) Files 19CDM-21V001 and 19CDM-21V002 BE DRAFT APPROVED, subject to conditions, to create condominium tenure for the development that is consistent with Site Development File DA.18.074, subject to Conditions of Draft Approval in Attachment 1.

Background

The Subject Lands are located at the south-west corner of Portage Parkway and Jane Street, to the north of Bent Tree Drive, and are municipally known as 1000 Portage Parkway (Building B1) and 7890 Jane Street (Building B3), with the surrounding land-uses shown on Attachment 2.

The proposed Draft Plan of Condominium Files 19CDM-21V001 and 19CDM-21V002 will create standard condominium tenure for Buildings B1 and B3, as shown on Attachments 2 to 17. The Development is currently under construction and consists of the following:

- 3 residential apartment buildings with building heights of 45-storeys (Building B1), 50-storeys (Building B3) and 36-storeys (Building B2 – purpose built rental), each with 6-storey podiums integrated with retail at-grade
- A total residential gross floor area (GFA) of 75,054 m² for a total of 1,472 residential units (1,026 units for condominium tenure within Buildings B1 and B3)
- A total of 2,038 m² of retail GFA
- A total of 934 parking spaces for residential with shared visitor and retail parking spaces

The Applications are consistent with the Council approved ultimate site plan for the Development, as shown on Attachment 3.

Previous Reports/Authority

[Item 2, Report No. 17, Committee of the Whole, Site Development File DA.18.074 adopted by Vaughan Council on May 14, 2019](#)

Analysis and Options

19CDM-21V001 (Building B3 – 7890 Jane Street)

This Application proposes standard condominium tenure for Building B3 which includes the unitization of residential units, bicycle and storage and parking units, mechanical and garbage collection rooms, and establishment of commonly accessible areas such as amenity areas, lobbies, elevators, stairwells in each building. The building can be accessed via a common corridor to the main lobby from Jane Street. A portion of the residential parking spaces and bicycle/storage units located within underground parking Levels B and C are dedicated exclusively for this development.

19CDM-21V002 (Building B1 – 1000 Portage Parkway)

Similarly, this Application proposes standard condominium tenure for Building B1 to unitize the residential units, bicycle and storage and parking units, mechanical and garbage collection rooms, and establishment of commonly accessible areas such as amenity areas lobbies, elevators, stairwells in each building. The main residential lobby is accessible from the internal privately-owned public space ('POPS') and is also accessible from a lobby along Portage Parkway. A portion of the residential parking, bicycle and storage units within the underground parking Levels B and C will also be exclusively dedicated to this development.

The overall Development proposes shared use of facilities and accesses for all 3 buildings on-site. This includes all outdoor and indoor amenity areas which will be privately-owned and maintained by the Owner. These include the outdoor green roof amenity areas on Level 7 in Building B1, the indoor amenity areas located on Level 5 within Building B3, and the exterior POPs. As a condition of approval, the Owner is required to convey a public access easement to the City free of costs and encumbrances over the POPs, comprised of the corner plazas and large central courtyard. A condition to this effect is included in Attachment 1.

While parking spaces are exclusively unitized within Levels B and C of the underground parking garage, Level A will remain commonly accessible to all residents and visitors for the purposes of shared parking between these 3 buildings (Buildings B1, B2 (rental) and B3). Level A will be privately-owned and maintained by the Owner and is not subject to condominium tenure. In order to ensure that these parking spaces are publicly-accessible, the Owner shall agree to enter into Reciprocal Easement and Operations Agreements ("REOA") with the future Condominium Corporations for Buildings B1 and

B3. These REOAs will detail matters relating to parking, access, and operations and maintenance of the underground parking structure, and shall include provisions to ensure that a total of 221 visitor parking spaces will be permitted and available within the on-site commercial parking facility in perpetuity within the development block to satisfy the minimum zoning requirements. These spaces may be utilized as shared off-site residential, commercial, and paid parking spaces for Buildings B1, B2 and B3. A condition to this effect is included in Attachment 1.

Development access is also proposed from the south development frontage facing the new local road, Bent Tree Drive. Prior to final approval, the Owner shall confirm to the City that Bent Tree Drive has been fully constructed and operational to the satisfaction of the City. A condition to this effect is included in Attachment 1.

The Application is consistent with and conforms to Provincial and Regional policies and conforms to Vaughan Official Plan 2010 and the VMC Secondary Plan

The Provincial Policy Statement, 2020 ('PPS') and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan') provide policy direction for land use planning and development for lands in Ontario. The Subject Lands are located within an "Urban Growth Centre" and "Major Transit Station Area" as identified by the Growth Plan and designated as "Urban Area" and located within a "Regional Centre" by the York Region Official Plan ('YROP'). Volume 2 of the Vaughan Official Plan 2010 ('VOP 2010'), specifically the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP'), designates the Subject Lands "Station Precinct", which permits a maximum building height of 25-storeys and a maximum density of 4.5 times the area of the lot (Floor Space Index – 'FSI'). The development is permitted a maximum density of 7.1 FSI with maximum building heights of 36-storeys (Building B2), 45-storeys (Building B1), and 50-storeys (Building B3), as approved through the site-specific OPA.

The Development is transit-supportive as the Subject Lands are located within an MTSA and is located within close proximity to the SmartVMC Bus Terminal, VMC Subway Station and the VivaNext Bus Rapid Transit along Highway 7 (the 'higher-order transit'). The Applications are permitted by the YROP, VOP 2010, and VMCSP. The Condominium Plans implement the tenures for the development that is consistent with and conforms to Provincial, York Region Official Plan and City Official Plan policies.

The Applications comply with Zoning By-law 1-88, and are consistent with the approved site plan

The Subject Lands are zoned C10 Corporate District Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1477). The development is permitted and complies with all the requirements of Zoning By-law 1-88. As a condition of approval, the Owner must submit an “as-built” survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

Zoning By-law 001-2021, has been appealed

The Subject Lands are zoned V1 VMC Station Precinct Zone, S(5-30)-D(2.5-5), subject to Exceptions 637, 1097 by Zoning By-law 001-2021. On October 20, 2021, Council enacted By-law 001-2021 as the new Comprehensive Zoning By-law. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

On March 1, 2022, a report was brought forward to the Committee of the Whole to amend the transition provisions of Zoning By-law 001-2021, which includes allowing Council decisions on development applications that were made prior to the passing of Zoning By-law 001-2021 to be recognized (Section 1.6.2.8). On March 22, 2022, Vaughan Council ratified the recommendations of the report along with the enactment of the revised Zoning By-law 001-2021 transition By-laws 038-2022 and 039-2022. Once Zoning By-law 001-2021 is in force and effect, the proposed transitions (Section 1.6.2.8) will allow the Council approval under previously approved Z.18.030 to be recognized.

The proposed garbage/recycling collection may be eligible for municipal waste collection service or shall be the responsibility of the Condominium Corporations

Upon a successfully completed application, site inspection and executed agreement as determined by the City, the Condominium Corporations may be eligible for municipal waste collection services. Should the Condominium Corporations be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporations.

The following commenting agencies have advised they have no objections to the approval of the Applications

Canada Post has no objection to the Application, subject to the conditions, in relation to approved Site Development Application File DA.18.074, being satisfied. Alectra Utilities, Enbridge Gas, Bell Canada, and Rogers have no objection to the Application. The

Owner is required to confirm all required easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included in Attachment 1.

Financial Impact

There are no 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 Applications, subject to their Conditions of Draft Approval identified in Attachment 1.

Conclusion

Draft Plan of Condominium (Standard) Files 19CDM-21V001 and 19CDM-21V002 conform to the VMCS, comply with Zoning By-law 1-88, and are consistent with the approved ultimate site plan for the Development, as approved by File DA.18.074. Accordingly, the Planning and Growth Management Portfolio, VMC Program recommends approval of this Application, subject to the conditions as set out in Attachment 1.

For more information, please contact: Natalie Wong, Senior Planner, VMC at extension 8866.

Attachments

1. Conditions of Draft Approval 19CDM-21V001 and 19CDM-21V002
2. Context and Location Map
3. Approved Site Plan DA.18.074
4. Building B1 – Levels 1 and 2
5. Building B1 – Levels 3 and 4
6. Building B1 – Levels 5 and 6
7. Building B1 – Levels 7 and 8
8. Building B1 – Levels 9 to 46
9. Building B1 – Parking Levels A and B
10. Building B1 – Parking Level C
11. Building B3 – Levels 1 and 2
12. Building B3 – Levels 3 and 4
13. Building B3 – Levels 5 and 6
14. Building B3 – Levels 7 and 8 to 50
15. Building B3 – Building B3 - Cross Section
16. Building B3 – Parking Levels A and B
17. Building B3 – Parking Level C

Prepared by

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Approved by

A handwritten signature in cursive script, appearing to read 'Haiqing'.

Haiqing Xu, Deputy City Manager
Planning and Growth Management

Reviewed by

A handwritten signature in cursive script, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager