

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

Item 26, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2022.

**26. CHELSEA MAPLE RESIDENCES (PHASE II) INC. - DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19 CDM-21V006 - 120 EAGLE ROCK WAY, VICINITY OF EAGLE ROCK WAY AND TROON AVENUE**

**The Committee of the Whole recommends approval of the recommendation contained in the report of the Deputy City Manager, Planning and Growth Management, dated June 7, 2022:**

**Recommendations**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-21V006 (Chelsea Maple Residences (Phase II) Inc.), as shown on Attachments 3 to 6, BE DRAFT APPROVED, subject to the Conditions of Draft Approval set out in Attachment 1.

# Committee of the Whole (1) Report

---

**DATE:** Tuesday, June 7, 2022

**WARD:** 4

**TITLE:** CHELSEA MAPLE RESIDENCES (PHASE II) INC.  
DRAFT PLAN OF CONDOMINIUM (STANDARD)  
FILE 19CDM-21V006  
120 EAGLE ROCK WAY  
VICINITY OF EAGLE ROCK WAY AND TROON AVENUE

**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-21V006 application for the subject lands shown on Attachment 2. The Owner is proposing to create a condominium tenure for a 16-storey apartment building having 117 residential dwelling units with 3 levels of underground parking, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner is proposing to create the condominium tenure for the residential portion of the apartment building currently under construction
- The Draft Plan of Condominium (Standard) consists of the areas dedicated to the residential units, amenity area, underground parking and locker units
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010, complies with Zoning By-law 1-88 and is consistent with Council approved Site Development File DA.18.069 (York Major Holdings Inc.)

**Recommendation**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-21V006 (Chelsea Maple Residences (Phase II) Inc.), as shown on Attachments 3 to 6, BE DRAFT APPROVED, subject to the Conditions of Draft Approval set out in Attachment 1.

## **Background**

The subject lands ('Subject Lands') shown on Attachment 2 are municipally known as 120 Eagle Rock Way and are located on the north side of Eagle Rock Way, west of Troon Avenue. The surrounding land uses are shown on Attachment 2.

The Owner submitted related Official Plan and Zoning By-law Amendment and Site Development Files OP.18.017, Z.18.029 and DA.18.069 to the City of Vaughan on August 27, 2018.

On January 22, 2019, the Official Plan Amendment and Zoning By-Law Amendment Applications were heard by the Committee of the Whole (Public Meeting). On June 12, 2019, Vaughan City Council approved the site-specific amendments to the Official Plan and Zoning By-law and the Site Development Application. The approvals facilitated the development of a 16-storey residential apartment building (117 units) with 447.2 m<sup>2</sup> of ground floor retail and office uses on the Subject Lands. The Site Plan Agreement related to Site Development File DA.18.069 is required to be registered on title prior to the execution of the Condominium Agreement. A condition to this effect is included in Attachment 1. The Draft Plan of Condominium is consistent with the approved site plan, as shown on Attachment 3.

## **Previous Reports/Authority**

The previous decision regarding the Official Plan and Zoning By-law Amendment and Site Development Files can be found at the following link:

[York Major Holdings Inc, January 22, 2019, Public Meeting Report](#)

[York Major Holdings Inc, June 4, 2019, Committee of the Whole \(Report 20, Item 22\)](#)

## **Analysis and Options**

Chelsea Maple Residences (Phase II) Inc. (the 'Owner') has submitted a Draft Plan of Condominium (Standard) File 19CDM-21V006 (the 'Application'). The Application seeks to create the residential condominium tenure for a 16-storey mixed-use apartment building currently under construction (the 'Development'), as shown on Attachment 3. The apartment building also includes 447.2 m<sup>2</sup> of ground floor retail and office space not forming part of the future condominium and does not form part of this Application. The Application consists of the residential portion of the building including the following:

- 117 residential units
- 117 combined bicycle and storage lockers, plus 18 short term bicycle spaces
- 113 parking spaces (95 residential parking units and 18 visitor parking spaces the amenity areas for the Development (e.g. landscaped areas and bicycle storage spaces)

## ***The Application is Consistent with and Conforms to Provincial, Region of York and City Official Plan Policies***

The Provincial Policy Statement, 2020 ('PPS') and the Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan') provide policy direction for orderly land use

planning and development of lands in Ontario. The Subject Lands are within the “Settlement Area” designation of the Oak Ridges Moraine Conservation Plan (‘ORMCP’) and “Urban Area” of the York Region Official Plan 2010 (‘YROP’) and are designated “High-Rise Mixed-Use” as approved by Council through OP.18.107 (Official Plan Amendment 42).

The Development makes an efficient use of the Subject Lands at a transit-supportive density in the vicinity of the Maple GO station and provides a housing form (apartment units) in the community consistent with and conforming to Provincial policies. The Development conforms to the YROP and VOP 2010, complies with Zoning by-law 1- 88 and is consistent with the Council approved Site Plan File DA.18.069. The Application would create the ownership tenure for the Development.

***The Application would create the condominium tenure for an approved Development that conforms to VOP 2010 and complies with Zoning By-law 1-88***

The Subject Lands are designated “High-Rise Mixed-Use” by VOP 2010, specifically Volume 2, Section 11.6 Maple GO Station Secondary Plan (‘MGSSP’). The site-specific policies of the MGSSP permit a maximum building height of 16-storeys on the Subject Lands, and an overall total maximum gross floor area (‘GFA’) of 122,398 m<sup>2</sup> dedicated to residential uses and a maximum total of 1018 units. The Development conforms to VOP 2010.

The Subject Lands are zoned “RA3 Apartment Residential Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1407) and permits the residential apartment building. The Condominium Plan complies with the requirements of Zoning By-Law 1-88.

***Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law***

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the OLT in respect of By-law 001-2021 was November 15, 2021. 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 01-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 01-2021 applies.

***The Application is consistent with the Council approved Site Development File DA.18.069***

Vaughan Council, on June 12, 2019, approved Site Development File DA.18.069, to permit the Development consisting of a 16-storey mixed-use residential apartment building (117 units) with 447.2 m<sup>2</sup> ground floor retail and office uses, 113 parking spaces (including 18 visitor spaces), with 117 long term and 18 short term combined bicycle lockers all located within three levels of underground parking. The Application is consistent with the approved site plan, as shown Attachment 3. As noted above, the

Application will create the condominium tenure for the residential portion of the Development.

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. A condition to this effect is included in Attachment 1.

***The Development Planning Department supports the approval of the Application, subject to the comments and conditions outlined in this report***

The Development Planning Department supports the approval of the Condominium Plan, subject to the comments in this report and conditions included in Attachment 1.

***The Development Engineering Department has no objection to the Application, subject to their conditions of Draft Approval***

The Development Engineering Department (‘DE’) has no objection to the Application, subject to the Owner providing documentation to the DE Department prior to registration of the condominium plans, to confirm that site plan conditions warning clauses and other specific conditions and warning clauses have been incorporated into all Agreements of Purchase, Sale and Lease, the Condominium Declaration, and the Condominium Agreement. A condition to this effect is included in Attachment 1.

***The Vaughan Financial Planning and Development Finance Department has no objection to the Application, subject to their conditions of Draft Approval***

The Financial Planning and Development Finance Department advise the Owner shall confirm to the Development Planning Department and the Office of the City Clerk that all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this Development have been paid. The Owner shall also certify acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Agreement, if required, until each unit covered under the Condominium Agreement is separately assessed. A condition to this effect is included in Attachment 1.

***The Environmental Services Department has no objection to the Application. The garbage/recycling collection may be eligible for municipal waste collection services and snow removal will be privately administered***

The Development includes a three-stream waste disposal system, the Owner has indicated that the Development will be serviced by private garbage/ recycling collection. However, upon a successfully completed application, site inspection and an executed agreement as determined by the City and to the satisfaction of the Environmental Services Department, the Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation 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 Corporation. All snow removal for the Development will be privately administered and the responsibility of the Condominium Corporation. A condition to this effect has been included in Attachment 1.

***Other Departments of the City of Vaughan have no objection to the Application***

The Building Standards, Parks Infrastructure Planning and Development Department, Office of Infrastructure and Development - Real Estate Department and By-law and Compliance, Licensing and Permit Services Departments have no objection to the Applications.

***Metrolinx and CN Rail, has no objection to the Application, subject to their Conditions of Approval***

The Owner is required to satisfy the conditions, as required by Metrolinx and CN Rail, included in Attachments 1.

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

Canada Post has no objection to the Application, subject to the conditions, in relation to approved Site Development Application File DA.18.069, being satisfied. Alectra Utilities, Enbridge Gas, Bell Canada, Hydro One 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 approval of the Application, subject to the conditions outlined in Attachment 1.

**Conclusion**

Draft Plan of Condominium (Standard) File 19CDM-21V006 would create a condominium tenure for 117 units with 3 levels of underground parking on the Subject Lands. The Draft Plan of Condominium is consistent with and conforms to the PPS, Growth Plan, and the YROP and VOP 2010, Zoning By-law 1-88 and Site Development File DA.18.069. Accordingly, the Development Planning Department can support the approval of the Application, subject to the Conditions of Draft Approval set out in Attachments 1.

**For more information**, please contact: Daniela DeGasperis, Planner, Development Planning Department, ext. 8382.

## **Attachments**

1. Conditions of Draft Approval Draft Plan of Condominium (Standard) 19CDM-21V006
2. Context and Location Map
3. Approved Site Plan (File DA.18.069)
4. Draft Plan of Condominium – Level 1
5. Draft Plan of Condominium – Levels A - C Inclusive
6. Draft Plan of Condominium – Levels 2 - 16 Inclusive

## **Prepared by**

Daniela DeGasperis, Planner, Development Planning, ext. 8382

Margaret Holyday, Senior Planner, Development Planning, ext. 8216

Mary Caputo, Senior Development Manager, Development Planning, ext. 8635

Nancy Tuckett, Director, Development Planning, ext. 8529

## **Approved by**



Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

## **Reviewed by**



Nick Spensieri, City Manager

**ATTACHMENT 1**  
**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (STANDARD)**  
**FILE 19CDM-21V006**  
**CHELSEA MAPLE RESIDENCES (PHASE II) INC. (THE 'OWNER')**  
**120 EAGLE ROCK WAY, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE 'CITY') THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-21V006 (THE 'PLAN'), ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium (Standard), prepared by R-PE Surveying Ltd., dated June 30, 2020, Job No.18-338.
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. Prior to the execution of the Condominium Agreement, the Site Plan Agreement for Site Development File DA.18.069 shall be registered on title.
4. The Owner shall enter into a Condominium Agreement with the City of Vaughan and shall agree to satisfy any conditions that the City may consider necessary.
5. The Condominium Agreement shall be registered on title against the lands to which it applies at the cost of the Owner.
6. The following provisions shall be included in the Condominium Agreement:
  - i. the Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
  - ii. snow removal and clearing shall be the responsibility of the Condominium Corporation; and
  - iii. upon a successfully completed application, a site inspection, and the execution and registration of an agreement with the Vaughan Environmental Services Department, Solid Waste Management Division as determined by the City, the Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation 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 Corporation.



7. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
8. Prior to final approval, the Owner and their solicitor and land surveyor 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 to the Vaughan Development Planning Department that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required by the Vaughan Financial Planning and Development Finance Department. The Owner also certifies acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of this Agreement, if required, until each unit covered under this Condominium Agreement is separately assessed.
10. The Owner and/or its successors shall agree to carry out, or cause to carry out, the warning clauses set out in this memorandum to the satisfaction of the City. Prior to the transfer of any residential units within the entire Plan, the Owner and/or its successors shall submit to the City satisfactory evidence that the appropriate warning clauses required by this agreement have been included in the Offer of Purchase and Sale or Lease for such residential unit.
11. The Condominium Agreement, Condominium Declaration and all Agreements of Purchase and Sale and/or Lease shall include the following warning clauses:
  - a) Development Engineering:
    - "The Owner and/or its successors shall inform the public and all purchasers and tenants that this development will function as a standard condominium and all details and associated costs shall be presented in the sales office, and through marketing material etc."
    - "The Owner and/or its successors acknowledges stormwater management quality and quantity controls including stormwater conveyance are provided within the neighbouring lands to the east via private easements complete with a private cost sharing agreement to account for operations and maintenance."
    - "The Owner and/or its successors acknowledges water distribution (fire protection and domestic water conveyance) are shared with the neighbouring lands to the east via private easements complete with a private cost sharing agreement to account for operations and maintenance. Individual domestic water meters are provided within the shared mechanical/meter room for each municipal address (100 & 120

Eagle Rock Way) complete with separate digital meter readers on the outside of the shared mechanical/meter room.”

- “Purchasers and/or tenants are advised that the City of Vaughan is within its rights to enforce the provisions of the City’s Sewer Use By-law 087-2016, as amended, or its successor by-law, against the Condominium Corporation and/or the Owner of the Lands at any time and that the Condominium Corporation is aware that the purpose of such By-law is to regulate the installation and connection of private sewers to sewage works, and the discharge of sewage, storm water and land drainage which may include long-term discharge activities in the future within the serviced area of The Corporation of the City of Vaughan.”

b) Noise

- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within the Maple GO Station Secondary Plan area and within the dwelling units, sound from increasing road and rail traffic may continue to be of concern and may occasionally interfere with some activities of the dwelling occupants, as the outdoor traffic sound levels may exceed the noise criteria of the municipality and the Ministry of the Environment, Conservation and Parks (“MECP”).”
- “This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the MECP.”
- “This dwelling unit has been fitted with a forced air heating system and the ducting was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the MECP (Note: The location an installation of the outdoor air conditioning device should minimize the noise impacts from the unit and comply with the criteria of MECP publication NPC-216, Residential Air Conditioning Devices).”
- “Purchasers/tenants are advised that due to the proximity of the adjacent GO transit, CN Rail and commercial facilities, noise may at times be audible.”

c) Canadian National Railway

- “Purchasers and/or tenants are to be advised that Canadian National Railway or its successors or assigns, have an operating right-of-way within 300 m from the land subject hereof and there may be alterations to the right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the

residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from use of its facilities and/or operations.”

- “Purchasers and/or tenants are to be advised that the lot abuts a GO Transit parking lot of which noise and lighting may be of concern due to the nature of the parking lot operation.”
- “Purchasers and/or tenants are advised that the cul-de-sac at the west terminus of Eagle Rock Way may be reconstructed in the future to facilitate an on-street bus loop and buses may idle without further notice.”
- “Purchasers and/or tenants are advised that GO Transit is proposing a future structured parking lot expansion which noise and lighting may be of concern due to the nature of the parking lot operation.”

d) Metrolinx

GO Transit requires that all development agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease or in the Articles of Incorporation of the Condominium Declaration of each dwelling unit within 300 m of the railway right-of-way contain the following clauses:

- “Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the Owners of lands within 300 m from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands.”
- “The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwellings in favour of Metrolinx.”
- “Depending on the method of construction, the Owner may be required to enter into a crane swing and/or a tie back agreement with Metrolinx.”

12. Prior to final approval, the Owner shall provide confirmation that all conditions of the Site Plan Approval issued for the subject property on Sept 6, 2019 under Regional File No. SP.18.V.0279 have been satisfied.

#### Canada Post Conditions

13. The Owner will provide each building/tower with its own centralized mail receiving facility. This lock-box assembly must be rear-loaded, adjacent to the main entrance and maintained by the Owner in order for Canada Post to provide mail service to the tenants/residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.
14. The Owner agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

#### Utilities Conditions

15. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority.

#### Clearances

16. The Development Planning Department shall advise that Conditions 1 to 11 have been satisfied.
17. The Region of York shall advise the Development Planning Department in writing that Condition 12 has been satisfied.
18. Canada Post shall advise the Development Planning Department in writing that Conditions 13 to 14 have been satisfied.
19. Bell Canada, Alectra Utilities, Enbridge Gas, Rogers and Hydro One shall advise that Condition 15 has been satisfied.



## Context and Location Map

**LOCATION:** 120 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**  
Chelsea Maple Residences (Phase II) Inc.

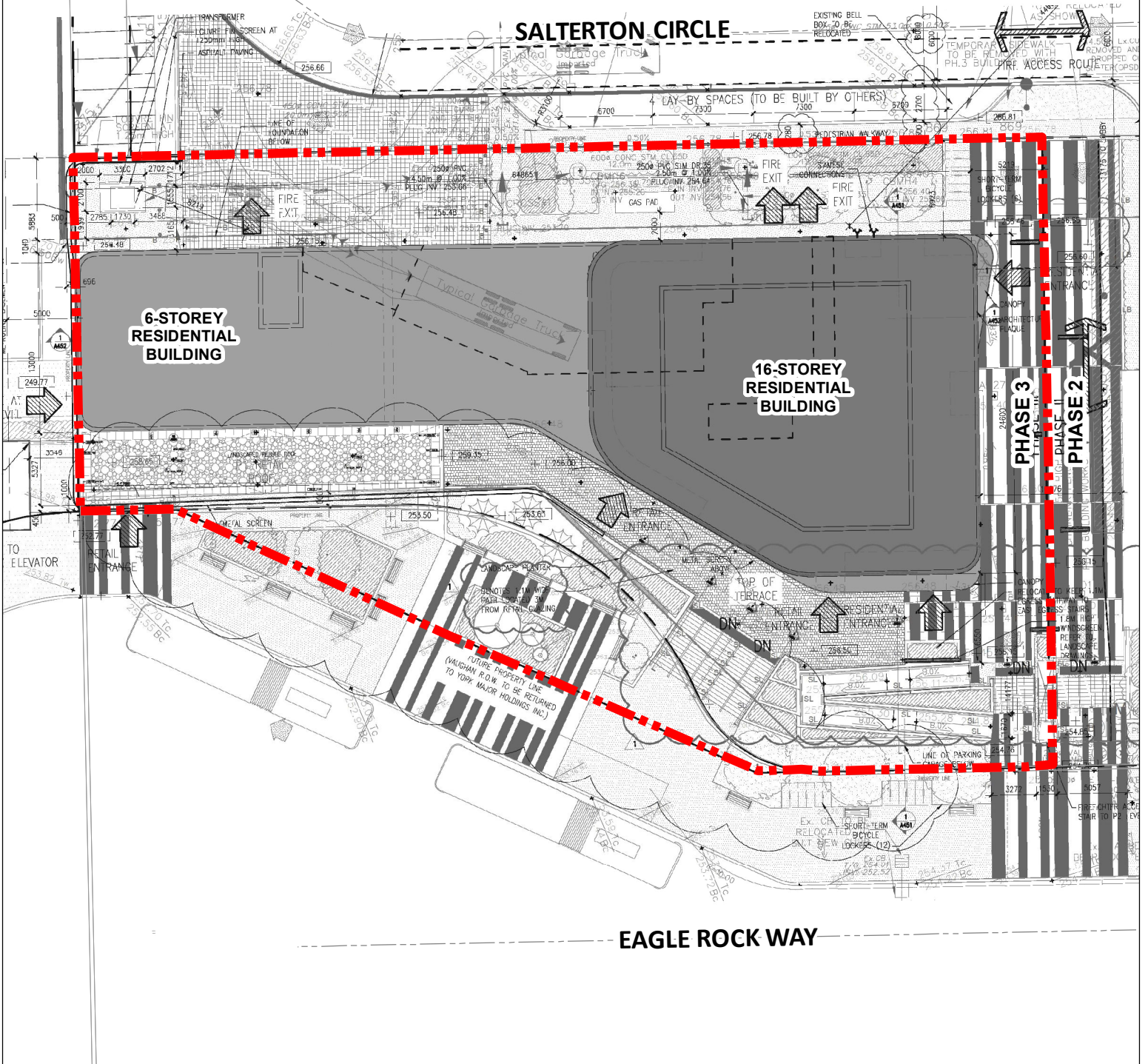
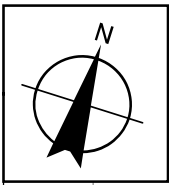



## Attachment

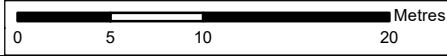
**FILE:** 19CDM-21V006  
**RELATED FILES:** OP.18.017,  
Z.18.029 and DA.18.069

**DATE:**  
June 7, 2022

2



 **Subject Lands**



# Approved Site Plan (File DA.18.069)

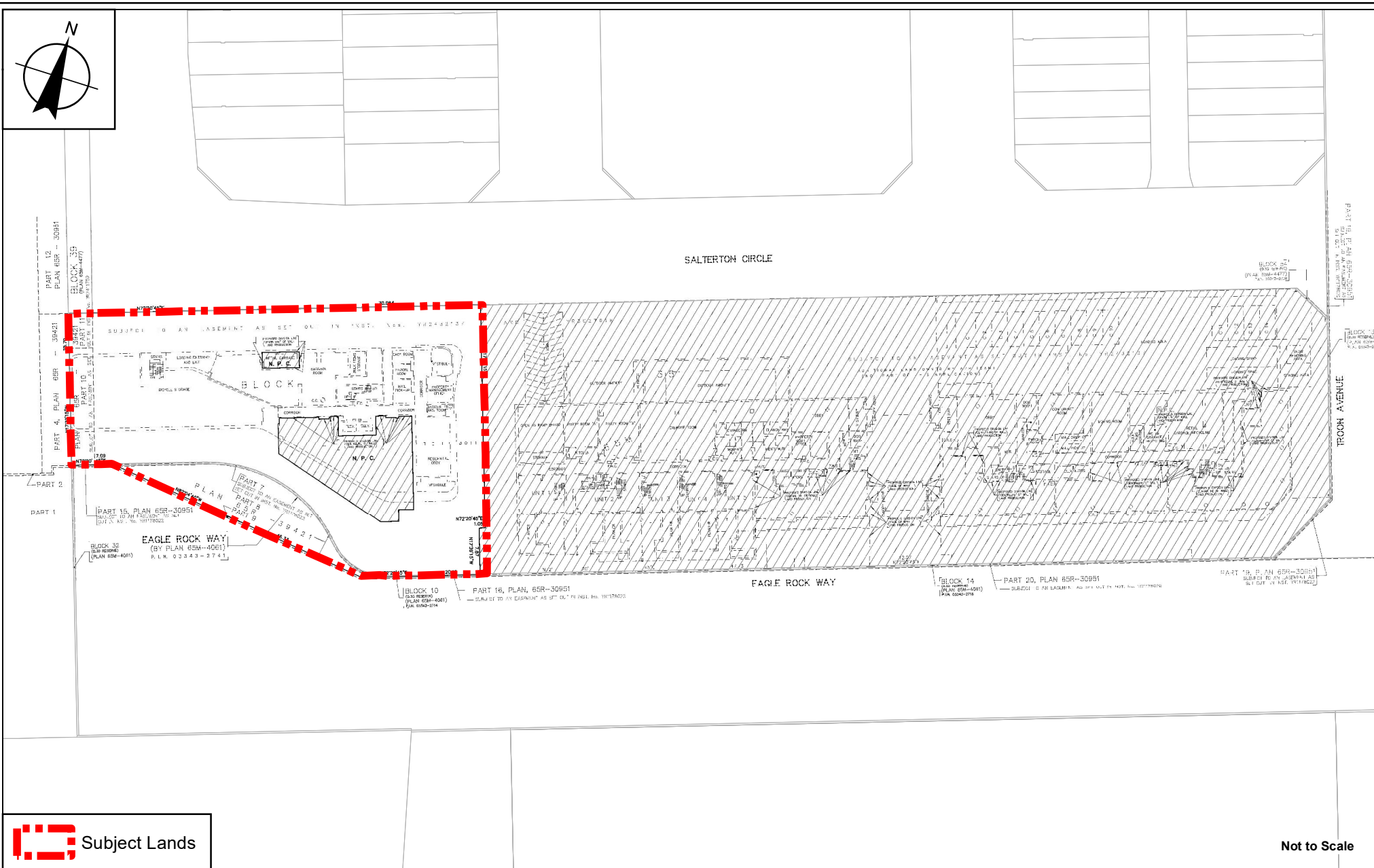
**LOCATION:** 120 Eagle Rock Way  
Part of Lot 21, Concession 3  
**APPLICANT:** Chelsea Maple Residences (Phase II) Inc.



**Attachment**  
**FILE:** 19CDM-21V006  
**RELATED FILES:** OP.18.017,  
Z.18.029 and DA.18.069  
**DATE:** June 7, 2022

3





## Draft Plan of Condominium - Level 1

**LOCATION:** 120 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:** Chelsea Maple Residences (Phase II) Inc.

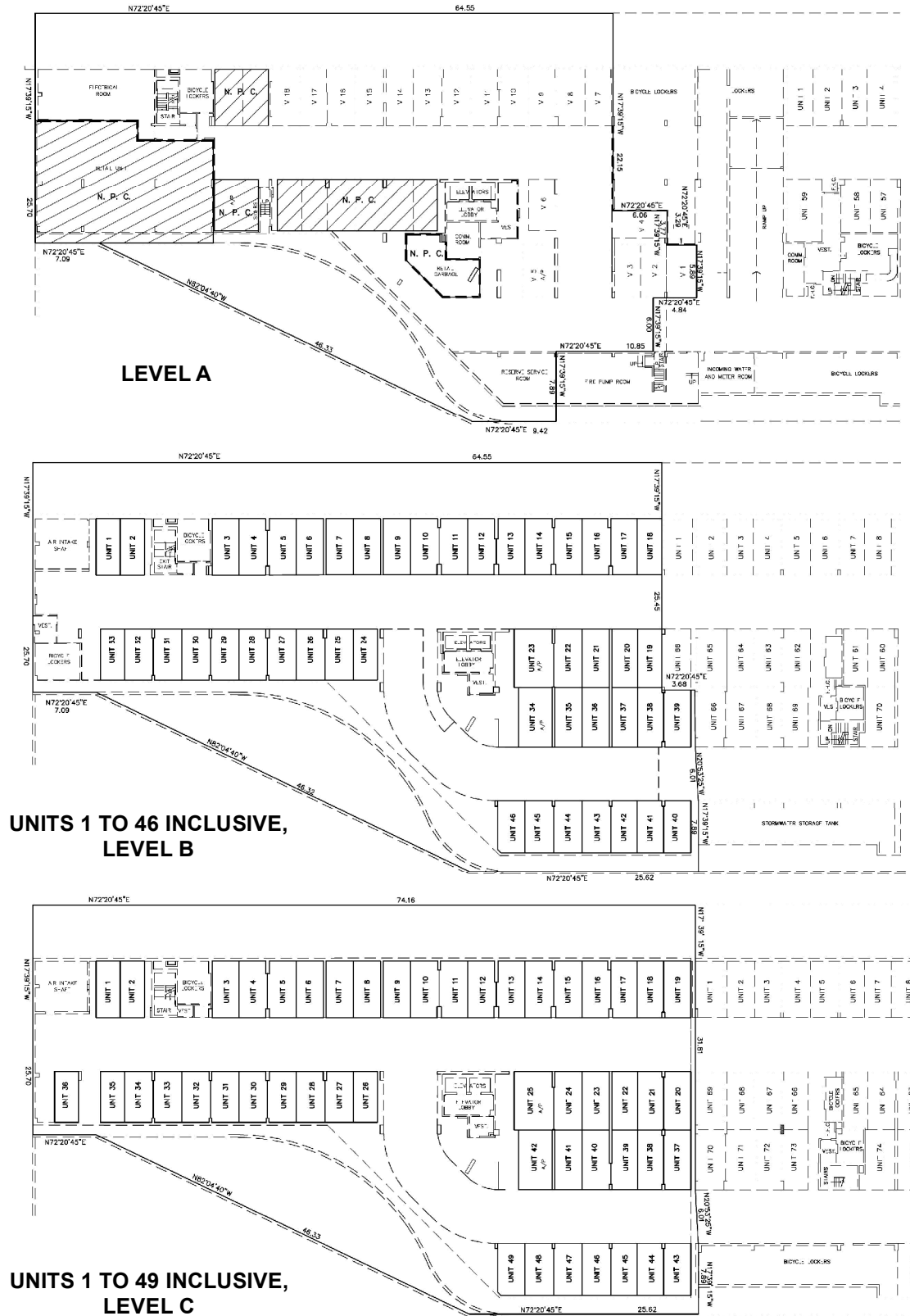


## Attachment

**FILE:** 19CDM-21V006  
**RELATED FILES:** OP.18.017,  
Z.18.029 and DA.18.069

**DATE:**  
June 7, 2022

4



Not to Scale

# Draft Plan of Condominium - Levels A - C Inclusive

LOCATION: 120 Eagle Rock Way  
Part of Lot 21, Concession 3

APPLICANT: Chelsea Maple Residences (Phase II) Inc.



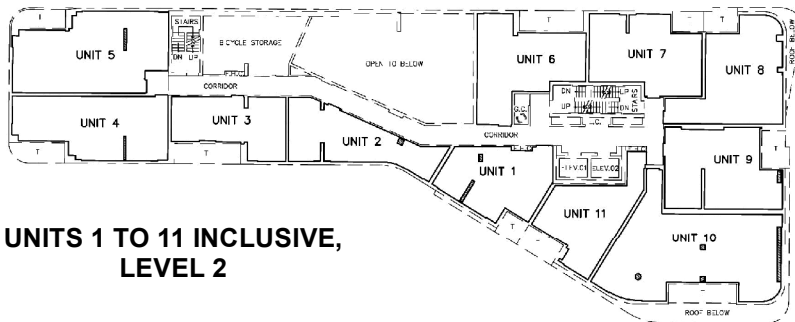
## Attachment

FILE: 19CDM-21V006  
RELATED FILES: OP.18.017,  
Z.18.029 and DA.18.069

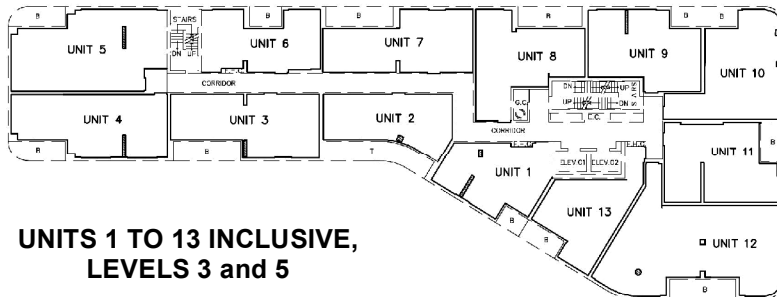
DATE:  
June 7, 2022

5

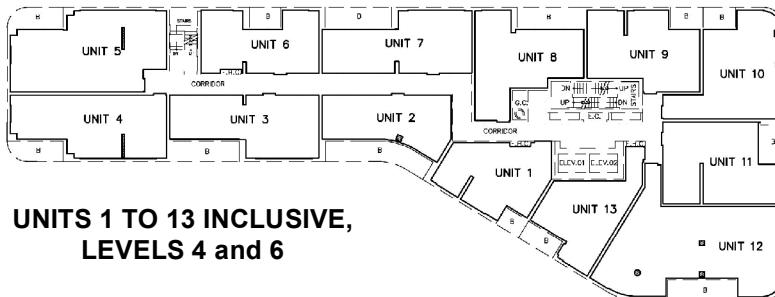




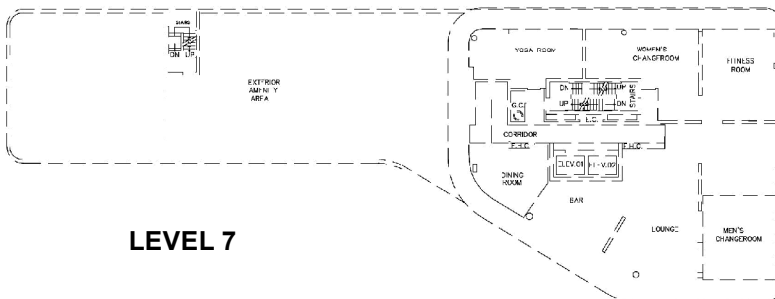
**UNITS 1 TO 11 INCLUSIVE,  
LEVEL 2**



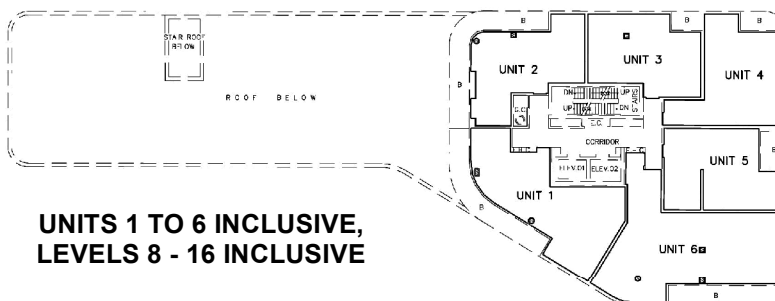
**UNITS 1 TO 13 INCLUSIVE,  
LEVELS 3 and 5**



**UNITS 1 TO 13 INCLUSIVE,  
LEVELS 4 and 6**



**LEVEL 7**



**UNITS 1 TO 6 INCLUSIVE,  
LEVELS 8 - 16 INCLUSIVE**

Not to Scale

## Draft Plan of Condominium - Levels 2 - 16 Inclusive

**LOCATION:** 120 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:** Chelsea Maple Residences (Phase II) Inc.



## Attachment

**FILE:** 19CDM-21V006  
**RELATED FILES:** OP.18.017,  
Z.18.029 and DA.18.069

**DATE:**  
June 7, 2022

6