

Committee of the Whole (1) Report

DATE: Tuesday, September 13, 2022 **WARD(S):** 5

TITLE: D'OR DEVELOPMENTS INC.
DRAFT PLAN OF CONDOMINIUM (STANDARD)
FILE 19CDM-22V002
10 AND 20 GATINEAU DRIVE
VICINITY OF CENTRE STREET AND NEW WESTMINSTER
DRIVE

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-22V002 application for the subject lands shown on Attachment 2. D'Or Developments Inc. is proposing to create a condominium tenure for two residential apartment buildings with heights of 17 and 20-storeys connected by a 2-storey podium containing 394 residential units and 3 levels of underground parking, as shown on Attachments 4 to 10.

Report Highlights

- The Owner is proposing to create the condominium tenure for the residential portion of the apartment buildings 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 Local Planning Appeal Tribunal (now the Ontario Land Tribunal) approved Site Development File DA.13.014 (Blue Water Ranch Developments Inc. & Thornhill Retirement Residence L.P.)

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-22V002 (D'Or Developments Inc.), as shown on Attachments 4 to 10, 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 10 and 20 Gatineau Drive and are located on the north side of Gatineau Drive, east of New Westminster Drive. The surrounding land uses are shown on Attachment 2.

Blue Water Ranch Developments Inc. submitted related Zoning By-law Amendment and Site Development Files Z.08.032 and DA.13.014 (the 'Related Applications') to the City of Vaughan on June 19, 2008 and March 8, 2013, respectively.

On November 6, 2012, the Zoning By-law Amendment Application was heard by the Committee of the Whole (Public Meeting). On November 20, 2013, pursuant to Section 34(11) of the *Planning Act*, the owner appealed Zoning By-law Amendment File Z.08.032 to the Ontario Municipal Board ('OMB') (now the Ontario Land Tribunal ('OLT')), citing Vaughan Council's refusal or neglect to make a decision on the Zoning By-law Amendment application within 120 days of the making of the application.

On August 26, 2014, pursuant to Section 41(12) of the *Planning Act*, the owner appealed Site Development File DA.13.014 to the OMB (now the OLT), on the basis of the failure of the City of Vaughan to approve the Site Plan Application submission within 30 days. Both appeals were consolidated under File No. PL131327 to be heard together.

Vaughan Council on September 9, 2014, refused the Related Applications. On February 12, 2019, the Local Planning Appeal Tribunal ('LPAT') (formerly the OMB, now the OLT), issued a final order approving site-specific amendments to the Zoning By-law. On June 2, 2020, the LPAT issued its final order on the Site Development Application. The approvals facilitated the development of a 17-storey and a 20-storey residential apartment building (394 units). The Site Plan Agreement related to Site Development File DA.13.014 was registered on title on July 16, 2019. The Draft Plan of Condominium is consistent with the approved site plan, as shown on Attachment 3.

Previous Reports/Authority

Previous reports regarding the Zoning By-law Amendment and Site Development Files can be found at the following links:

[Blue Water Ranch Developments Inc. & Thornhill Retirement Residence L.P., November 6, 2012, Public Meeting Report](#)

[Blue Water Ranch Developments Inc. & Thornhill Retirement Residence L.P., September 9, 2014, Committee of the Whole Report](#)

Analysis and Options

D'Or Developments Inc. (the 'Owner') has submitted a Draft Plan of Condominium (Standard) File 19CDM-22V002 (the 'Application'). The Application seeks to create the residential condominium tenure for a 17-storey and 20-storey residential apartment building, which are currently under construction (the 'Development'), as shown on Attachments 3 to 10. The Application consists of:

- 394 residential units
- 338 combined bicycle parking spaces and storage lockers
- 2,020 m² of amenity space (1,130 m² of indoor amenity, 830 m² of outdoor amenity)
- 463 residential parking underground spaces and 39 visitor parking spaces (13 visitor spaces at-grade and 26 underground)

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.

Section 1.4.1 of the PPS, Section 2.2.6. of the Growth Plan, and Section 3.5.4 of the York Region Official Plan ('YROP') requires an appropriate range and mix of housing options and densities be provided within "Settlement Areas" to meet the needs of current and future residents. The residential buildings of the Draft Plan of Condominium provide additional housing options in the area in the form of residential apartment units.

The Subject Lands are located within the "Urban Area" on Map 1 - Regional Structure, of the YROP. Section 5.3 of the YROP requires intensification to occur in strategic locations in the built-up area to maximize efficiencies in infrastructure and service delivery, along with transit ridership. The Subject Lands are adjacent to Centre Street which is a Regional Corridor on Map 12 – Street Network, of the York Region Official Plan. The VIVA Next Regional Road 7 Corridor is a rapid bus transit corridor which is currently operational in the Bathurst Street and Centre Street area and connects east into Richmond Hill. In consideration of the above, the Application is consistent with and conforms to the PPS, Growth Plan and the YROP.

The Subject Lands are designated "High-Rise Residential" and "Area A" by the City of Vaughan Official Plan 2010 ('VOP 2010'), Volume 2 (12.11 Bathurst and Centre: Thornhill Town Centre) with maximum permitted height of 22-storeys and a maximum permitted density of 2.7 times the area of the lot with the maximum density calculated on the entirety of the lands designated "Area A" on Map 12.11.A of VOP 2010 Volume 2.

The Development makes efficient use of the Subject Lands at a transit-supportive density 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.

A Minor Variance is required for the Development to comply with the site-specific exception 9(1433)

The Subject Lands are zoned “RA5 High Density Residential Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1433) and permits the residential apartment buildings. The following additional zoning exception is required for the Development

1. To permit a minimum parking space size of 5.57 m x 2.4 m for 17 parking spaces

The Development Planning Department, in consultation with the Development Engineering Department, can support for the above referenced variance as the Development provides an excess of 36 parking spaces and the 17 deficient parking spaces sizes can be designated for compact cars.

Should Council approve the recommendations in this Report, the Owner shall submit a Minor Variance Application for consideration by the Committee of Adjustment to permit the above noticed variance. The Minor Variance Application must be approved by the Committee of Adjustment, and the decision be Final and Binding prior to final registration of the condominium plan. A condition to this effect is included in Attachment 1.

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 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

The Application for the Subject Lands are determined to be transitioned in accordance with Subsection 1.6.3 of Zoning By-law 001-2021 and therefore the Development is subject to Zoning By-law 1-88, as amended, only.

The Application is consistent with the LPAT approved Site Development File DA.13.014

The LPAT approved Site Development File DA.13.014 to permit the Development consisting of a 17-storey and 20-storey apartment buildings (394 units), 463 parking underground spaces and 39 visitor spaces (26 underground and 13 at-grade), with 338 combined bicycle and storage lockers, and 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 Draft Plan of Condominium, subject to their condition of Draft Approval

The Development Engineering (‘DE’) Department 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 conditions relating to noise and dewatering 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.

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.

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.13.014, 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-22V002 would create a condominium tenure for 394 units with 3 levels of underground parking on the Subject Lands as shown on Attachments 4 to 10. 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.13.014. Accordingly, the Development Planning Department can support the approval of the Application, subject to the Conditions of Draft Approval set out in Attachment 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) File 19CDM-22V002
2. Context and Location Map
3. Approved Site Plan (File DA.13.014)
4. Draft Plan of Condominium File 19CDM-22V002 – Level 1
5. Draft Plan of Condominium File 19CDM-22V002 – Levels 2 – 5
6. Draft Plan of Condominium File 19CDM-22V002 – Levels 6 – 9
7. Draft Plan of Condominium File 19CDM-22V002 – Levels 10 – 13
8. Draft Plan of Condominium File 19CDM-22V002 – Levels 14 – 17
9. Draft Plan of Condominium File 19CDM-22V002 – Levels 18 – 20
10. Draft Plan of Condominium File 19CDM-22V002 – Levels A, B & C

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

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