

Committee of the Whole (1) Report

DATE: Tuesday, April 4, 2023

WARD: 5

TITLE: DANIELS BAIF THORNHILL INC.
DRAFT PLAN OF CONDOMINIUM (STANDARD)
FILE 19CDM-22V008
VICINITY OF BATHURST STREET AND BEVERLEY GLEN
BOULEVARD

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-22V008 for the subject lands shown on Attachment 2 to establish the condominium tenure for a high-rise mixed-use building, shown on Attachments 4 to 25, subject to the Conditions of Draft Plan of Condominium Approval identified in Attachment 1.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish condominium tenure for a high-rise mixed-use building which includes two residential towers with building heights of 15 (Building A) and 25-storeys (Building B), on a 4-storey podium, with ground floor commercial uses.
- The ground floor commercial uses do not form part of the Draft Plan of Condominium Application and will be leased by the Owner.
- The Development Planning Department supports the approval of the Draft Plan of Condominium File 19CDM- 22V008, subject to conditions.
- The Owner has also submitted a separate Draft Plan of Condominium File 19CDM-22V009 for two neighbouring buildings, Buildings C and D.

Recommendation

1. THAT Draft Plan of Condominium (Standard) File 19CDM-22V008 (Daniels Baif Thornhill Inc.) BE APPROVED, to establish the condominium tenure for a high-rise mixed-use building which includes two residential towers on a 4-storey podium located at 7950 Bathurst Street, subject to the conditions of Draft Plan of Condominium Approval identified in Attachment 1.

Background

The 1.4 ha subject lands (the 'Subject Lands') shown on Attachment 2 are located at the northwest corner of Bathurst Street and Beverley Glen Boulevard. The Subject lands and surrounding land uses are shown on Attachment 2. The Subject Lands are currently under construction.

Zoning By-law Amendments and Site Development Applications were approved for the Subject Lands

Council on January 20, 2015 approved Official Plan and Zoning By-law Amendment Files OP.12.019 and Z.12.047 to permit four high-rise mixed-use residential apartment buildings with maximum building heights of 15-storeys, 25-storeys, 12-storeys and 6-storeys for Buildings "A", "B", "C" and "D" respectively as shown on Attachment 3 with a floor space index ('FSI') of 4.35 times the area of the lot, a maximum of 797 dwelling units, and 586 m² of gross floor area ('GFA') of at grade retail and convenience retail uses. OPA #748 (By-law 179-2015) and By-law 180-2015 were enacted by Vaughan Council on November 17, 2015.

By-law 174-2019, to lift the Holding Symbol "(H)" (File Z.19.014), was enacted by Vaughan Council on November 19, 2019.

Site Development Application File DA.19.011 for the Subject Lands was approved by Council on October 23, 2019.

Previous Reports/Authority

The following are links to previous reports regarding the Subject Lands:

[January 13, 2015, Committee of the Whole Files OP.12.019 and Z.12.047](#)
[October 7, 2019 Committee of the Whole File DA.19.011](#)

Analysis and Options

A Draft Plan of Condominium (Standard) Application was submitted to establish tenure for the Subject Lands

Daniels Baif Thornhill Inc. (the 'Owner') has submitted Draft Plan of Condominium (Standard) File 19CDM-22V008 (the 'Application'). The Application proposes to establish the condominium tenure for the Development, as shown on Attachment 3 to 25.

The application is Consistent and Conforms with Provincial Plans, Region of York Official Plan 2022, and Vaughan Official Plan 2010

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 (the 'PPS'). Council's planning decisions are also required by the *Planning Act* to conform, or not conflict with, the Provincial Growth Plan "A Place to Grow – Growth Plan for the Greater Golden Horseshoe 2019, as amended (the 'Growth Plan').

Consistency with the PPS and conformity with the Growth Plan were confirmed through Council's January 20, 2015, and October 23, 2019 decision to approve Files OP.12.019, Z.12.047, Z.19.014 and DA.19.011, respectively.

The Subject Lands are located within the "Urban Area" on York Region Official Plan 2022 ('YROP') Map 1 – Regional Structure, and designated Community Area on YROP 2022 Map 1A – Land Use Designations. Section 4.2.2 of the York Region Official Plan 2022 promotes development within Community Areas which provided a wide range and mix of housing types, sizes, and tenures.

The Subject Lands are located within a "Community Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010'). The Subject Lands are designated "High-Rise" by VOP 2010 Schedule 13 – Land Use, with a maximum building height of 25-storeys and an FSI of 4.35. This designation permits the mid-rise mixed-use development. The Application conforms to the York Region and City of Vaughan Official Plans.

The Condominium Plan is consistent with the Council approved Site Development File DA.19.011

The Draft Plan of Condominium (Standard) shown on Attachment 3 is consistent with the Council approved site plan for the Subject Lands. The Development Planning Department has no objection to the Application, subject to the Conditions identified in Attachment 1.

Financial Impact

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

Operational Impact

The Development Engineering Department has no objection to the Application

The Subject Lands are located at the northwest corner of Bathurst Street and Beverley Glen Boulevard, therefore, despite the inclusion of noise control features, noise levels in the area may exceed the Ministry of Environment Conservation and Parks' ('MECP') noise criteria. The Development Engineering Department has no objection to the Application, subject to the inclusion of warning clauses within the Condominium Declaration Conditions to this effect are included in Attachment 1.

Prior to the registration of the Draft Plan of Condominium, reciprocal easements and blanket easements between the future Condominium Corporation associated with File 19CDM-22V008 and the future Condominium Corporation associated with File 19CDM-22V009 are required to be registered on title to ensure vehicular and pedestrian access, visitor parking, shared access, underground parking, and municipal servicing (sewers, watermain etc.). Easements will be granted from both condominium corporations for access, maintenance, emergency egress etc., in favour of the retail component. All easements will be described in Schedule A of the Condominium Declaration. Conditions to this effect are included in Attachment 1.

The final Condominium plans must include the following:

- The location of the bicycle parking spaces
- The location of all accessible parking spaces which comply to by-law requirements
- Draft Plan of Condominium File numbers

The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following: "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic and adjacent employment/industrial uses may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change's environmental noise guidelines NPC 300". Prior to occupancy of any dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements, and condominium declarations.

Other City Departments and agencies have no objection to the Application

Building Standards, By-law Compliance, Licensing and Permit Services Department, Policy Planning and Environmental Services, Financial Planning and Development Finance Department, Parks Infrastructure Planning and Development Department, Real Estate Department, Infrastructure Planning and Corporate Asset Management Department and the York Region School Boards have no objection to the Application.

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

Canada Post has no objection to the Application

Canada Post has no objection to the Application subject to the Owner providing the building with its own centralized mail receiving facility. This lock-box assembly must be rear-loaded, adjacent to the main entrance and maintained by the Condominium Corporation in order for Canada Post to provide mail service to the tenants/residents of the Development. A condition to this effect is included in Attachment 1.

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services Department has no objection to the Application, subject to the Conditions in Attachment 1b.

Conclusion

The Development Planning Department supports the Application to create a standard condominium tenure for the Development, subject to the Conditions of Draft Approval identified in Attachment 1, as it is consistent with the PPS and conforms to the Growth Plan, the YROP 2022 and VOP 2010 and would implement a Council approved development.

For more information, please contact: Carol Birch, extension 8485.

Attachments

1. Conditions of Draft Plan of Condominium Approval File 19CDM-22V008
- 1b. York Region Conditions Letter
2. Context and Location Map
3. Site Plan

4. Draft Plan of Condominium
5. Draft Plan of Condominium
6. Draft Plan of Condominium
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25. Draft Plan of Condominium

Prepared by

Carol Birch, Planner, ext. 8485

Christina Ciccone, Senior Planner, ext. 8773

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

Nancy Tuckett, Director of Development Planning, ext. 8529

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager