

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2019

Item 7, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 14, 2019.

**7. WINGES ROWNTREE HOLDINGS INC. DRAFT PLAN OF
CONDOMINIUM (STANDARD) FILE 19CDM-18V005 VICINITY OF
REGIONAL ROAD 7 AND WHITMORE ROAD**

**The Committee of the Whole recommends approval of the
recommendation contained in the following report of the Deputy City
Manager, Planning and Growth Management, dated May 7, 2019:**

Recommendations

1. That Draft Plan of Condominium (Standard) File 19CDM-18V005 (Winges Rowntree Holdings Inc.) BE APPROVED, as shown on Attachment 3, subject to the Conditions of Draft Approval set out in Attachment 1.

Committee of the Whole Report

DATE: Tuesday, May 07, 2019

WARD(S): 2

**TITLE: WINGES ROWNTREE HOLDINGS INC.
DRAFT PLAN OF CONDOMINIUM (STANDARD)
FILE 19CDM-18V005
VICINITY OF REGIONAL ROAD 7 AND WHITMORE ROAD**

FROM:

Jason Schmidt-Shoukri, 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-18V005 to facilitate the conversion of an existing employment complex comprised of 3, one-storey employment use buildings with 28 rental units and served by 243 parking spaces as shown on Attachment 3, from a rental tenure to a condominium tenure.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) application to facilitate the tenure conversion of existing rental employment buildings to a condominium tenure.
- No external modifications are being proposed to the existing building or the site.
- The Development Planning Department supports the approval of Draft Plan of Condominium (Standard) File 19CDM-18V005, subject to conditions, as it conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 1-88.
- The proposed change in tenure from rental buildings to condominium buildings will continue to maintain the current employment use and the City's employment base.

Recommendations

1. That Draft Plan of Condominium (Standard) File 19CDM-18V005 (Winges Rowntree Holdings Inc.) BE APPROVED, as shown on Attachment 3, subject to the Conditions of Draft Approval set out in Attachment 1.

Background

The Subject Lands (the 'Subject Lands') shown on Attachment 2 are located southeast of Regional Road 7 and Whitmore Road, municipally known as 41 and 45 Winges Road and 155 Rowntree Dairy Road. The surrounding land uses are shown on Attachment 2.

The Owner has submitted a Draft Plan of Condominium Application to convert the tenure of the existing employment buildings

The Owner has submitted a Draft Plan of Condominium (Standard) File 19CDM-18V005 (the 'Application') to convert the existing employment property comprised of 3 buildings with 28 units and served by 243 parking spaces from a rental tenure to a plan of condominium (Condominium Tenure), as shown on Attachment 3. The conversion in tenure changes the manner in which title to the property is being held from rental to condominium ownership and will continue to maintain the Subject Lands for employment uses.

Previous Reports/Authority

N/A

Analysis and Options

The proposed Draft Plan of Condominium conforms to Vaughan Official Plan 2010 ("VOP 2010") and complies with Zoning By-law 1-88

The Subject Lands are designated "General Employment" by Vaughan Official Plan 2010 ("VOP 2010"). The Application represents a conversion of tenure from rental to freehold ownership with shared common interests in parking, walkways and landscape areas and no changes to the current land use is proposed. In addition, the existing employment uses on the Subject Lands will be maintained. The Draft Plan of Condominium shown on Attachment 3 conforms to VOP 2010.

The Subject Lands are zoned "EM1 Prestige Employment Zone" and "EM2 General Employment Zone" by Zoning By-law 1-88. The proposed Draft Plan of Condominium does not change the current built form or function of the Subject Lands.

Some of the existing parking spaces shown on Attachment 3 range in size from 2.7 m x 5.5 m to 2.7 m x 5.7 m, which do not meet the current minimum Zoning By-law 1-88 requirement of 2.7 m x 6 m. However, as these parking spaces were approved and

built in accordance with the Building Permit issued under Zoning By-law 306-81, relief to the minimum parking space size standard is not required. The Draft Plan of Condominium complies with Zoning By-law 1-88.

As a condition of Draft Approval, the Owner is required to include wording in all Offers of Purchase and Sale or Lease, the condominium agreement and in the condominium declaration indicating that a portion of the Subject Lands will be served with small car parking stalls and that the Condominium Corporation is required to install 'Small Car Parking Space' signage to the satisfaction of the City of Vaughan.

The Subject Lands are located in an Employment Area and do not abut an arterial road, highway, or Open Space Zone. A Site Development Application was not required to facilitate the construction of the existing buildings. A Building Permit was issued on February 4, 1986, for the construction of the existing buildings.

All common areas (i.e. the parking spaces, the existing landscaping areas, driveway, and walkways) on the proposed Draft Plan of Condominium will be part of the common elements to the condominium plan.

Snow Removal, Garbage and Recycling Collection will be privately administered

Snow removal and Garbage and recycling collection will be privately administered and the responsibility of the condominium corporation. A condition to this effect is included in Attachment 1.

The Development Engineering ("DE") Department has no objection to the Draft Plan of Condominium

The "DE" Department has indicated that any new required or existing easements or shared use agreements for access, servicing and maintenance with adjacent properties must be maintained or renewed with the condominium corporation. The "DE" Department has no objection to the Draft Plan of Condominium, subject to Conditions of Draft Approval set out in Attachment 1.

The following Departments have no objection to the proposed Draft Plan of Condominium

The Environmental Services Department, Solid Waste Management Division, Financial Planning and Development Finance Department and the Vaughan Fire and Rescue Services ("VFRS") have no objection to the Draft Plan of Condominium, subject to the Conditions of Draft Approval set out in Attachment 1.

The following utility providers have no objection to the approval of the Draft Plan of Condominium

Alectra Utilities Corporation, Bell Canada, and Enbridge Gas have no objection to the approval of the Application, subject to the Conditions of Draft Approval set out in Attachment 1.

Canada Post has no objection or condition to the approval of the Application.

Financial Impact

N/A

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Department has no objection or conditions to the approval of the Draft Plan of Condominium.

Conclusion

Draft Plan of Condominium (Standard) File 19CDM-18V005 conforms to VOP 2010, complies with Zoning By-law 1-88 and facilitates the conversion of the existing rental buildings on the Subject Lands from a rental to a condominium tenure. No changes or development on the Subject Lands is proposed. The Development Planning Department can support the approval of the Draft Plan of Condominium (Standard) application, subject to the Conditions of Draft Approval set out in Attachment 1.

For more information, please contact: Eugene Fera, Planner, extension 8003.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Condominium

Prepared by

Eugene Fera, Planner, ext. 8003

Clement Messere, Senior Planner, ext. 8409

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

/CM

ATTACHMENT 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-18V005 ('PLAN')
WINGES ROWNTREE HOLDINGS INC. ('OWNER')
PART OF LOT 5, CONCESSION 6, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('CITY') THAT
SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF
CONDOMINIUM (STANDARD) FILE 19CDM-18V005, ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Rady-Pentek and Edward Surveying Inc., Drawing CAD File Name 18-172-DR-PL-FNL, certified February 21, 2019.
2. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any conditions that the City may consider to be outstanding as part the Building Permit File for this property.
3. The Condominium Agreement shall be registered on title against the lands to which it applies, at the Owner's expense.
4. The following provisions shall be included in the Condominium Agreement:
 - a) The Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins.
 - b) The Condominium Corporation shall be responsible for private waste collection, snow removal and clearing.
 - c) Prior to the registration of the final Plan, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Financial Planning and Development Finance Department.
 - d) Prior to the registration of the final Plan the Owner shall agree, if required, to secure any new easements or maintain the existing reciprocal agreements, servicing easements and cross easements if required with the adjacent properties. A condition to this effect shall be included in the Condominium Declaration.

5. Prior to the registration of the final Plan, the Owner shall submit, if required an "as-built" survey to the satisfaction of the Building Standards Department.
6. Prior to the registration of the final Plan, 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.
7. Any other conditions received after Council approval and prior to final approval of the Condominium Plan shall be included in the Condominium Agreement.

Development Engineering Conditions

8. That prior to the registration of the final Plan the Owner shall secure all surface and subsurface service easements if required, to the satisfaction of the Development Engineering Department.
9. That prior to the registration of the final Plan the Owner shall include in all "Offers of Purchase and Sale" and in the Condominium Declaration that a portion of the plan of condominium consists of small car parking spaces, and that the Condominium Corporation shall install and maintain "Small Car Parking" signage for these spaces to the satisfaction of the Development Engineering and Development Planning Departments.

Vaughan Fire and Rescue Services

10. Prior to the registration of the final Plan the Owner shall confirm that the fire route and any revisions to the fire route complies with Section 3.2.5 of the 2012 Ontario Building Code, to the satisfaction of Vaughan Fire and Rescue Services.

Alectra Utilities Corporation

11. Prior to the registration of the final Plan the Owner shall obtain final clearance from Alectra Utilities.

Enbridge Gas Inc.

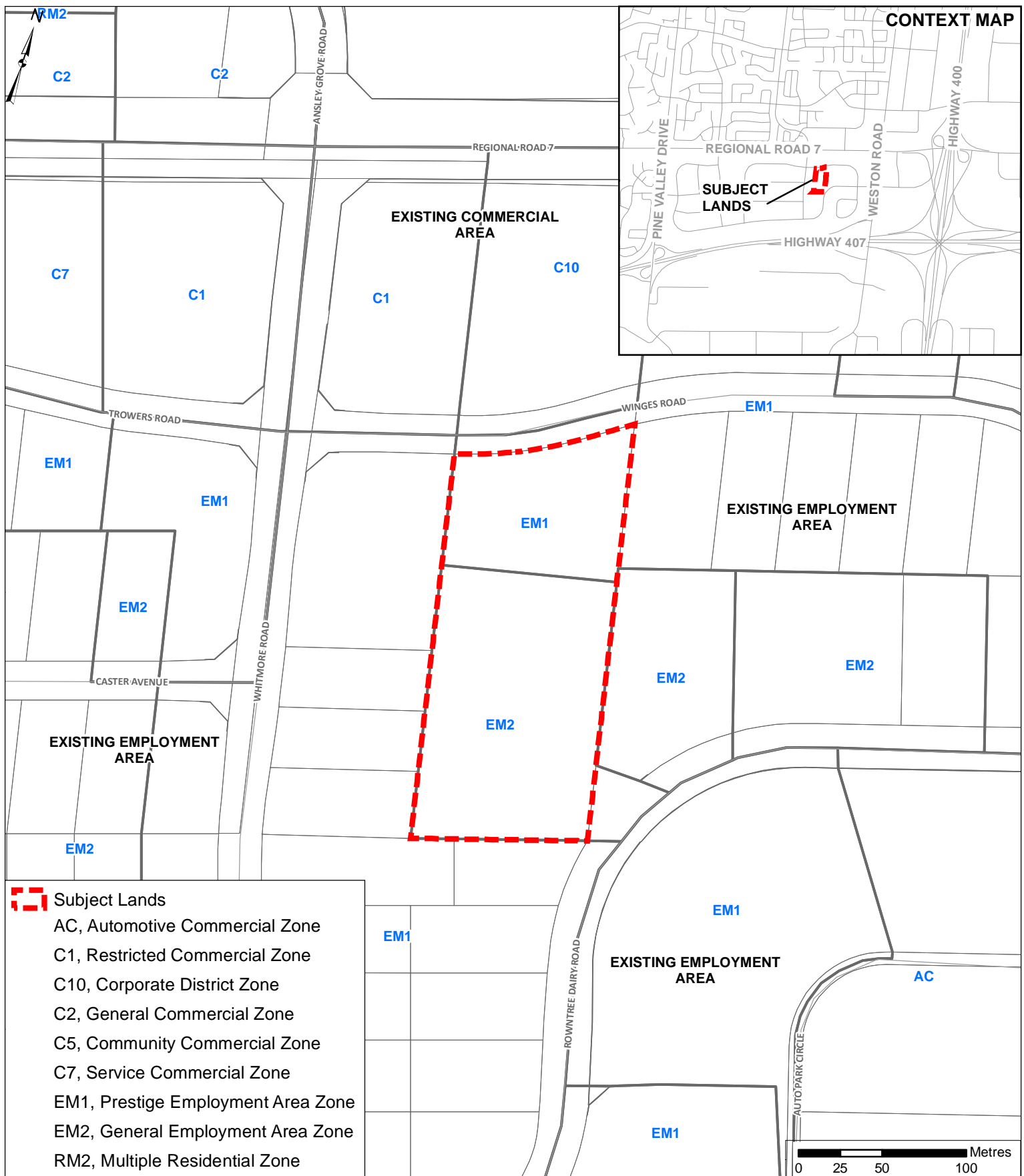
12. Prior to the registration of the final Plan and if required, the Owner shall agree to relocate or provide temporary gas pipelines if the gas main needs to be relocated, and to grant Enbridge, if necessary, any easements required to service this development and future adjacent developments. If required, the Owner shall agree to provide a 3 m x 3 m regulator station in an acceptable location to the satisfaction of Enbridge and the City. The Owner shall be responsible for all costs for the relocation of such facilities or easements.

Bell Canada

13. Prior to the registration of the final Plan and if required, the Owner shall, confirm that sufficient wire-line communication infrastructure is available. In the event that such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for the above noted connection, then the Owner will be required to demonstrate to the satisfaction of the City of Vaughan that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for Emergency Management Services (i.e. 911 Emergency Services).

Clearances

14. The City of Vaughan shall advise that Conditions 1 to 10 have been satisfied.
15. Alectra Utilities Corporation shall advise the City of Vaughan Development Planning Department in writing that Condition 11 has been satisfied.
16. Enbridge Gas Distribution shall advise the City of Vaughan Development Planning Department in writing that Condition 12 has been satisfied.
17. Bell Canada shall advise the City of Vaughan Development Planning Department in writing that Condition 13 has been satisfied.



Location Map

LOCATION:
Part of Lot 5, Concession 6

APPLICANT:
Winges Rowntree Holdings Inc.

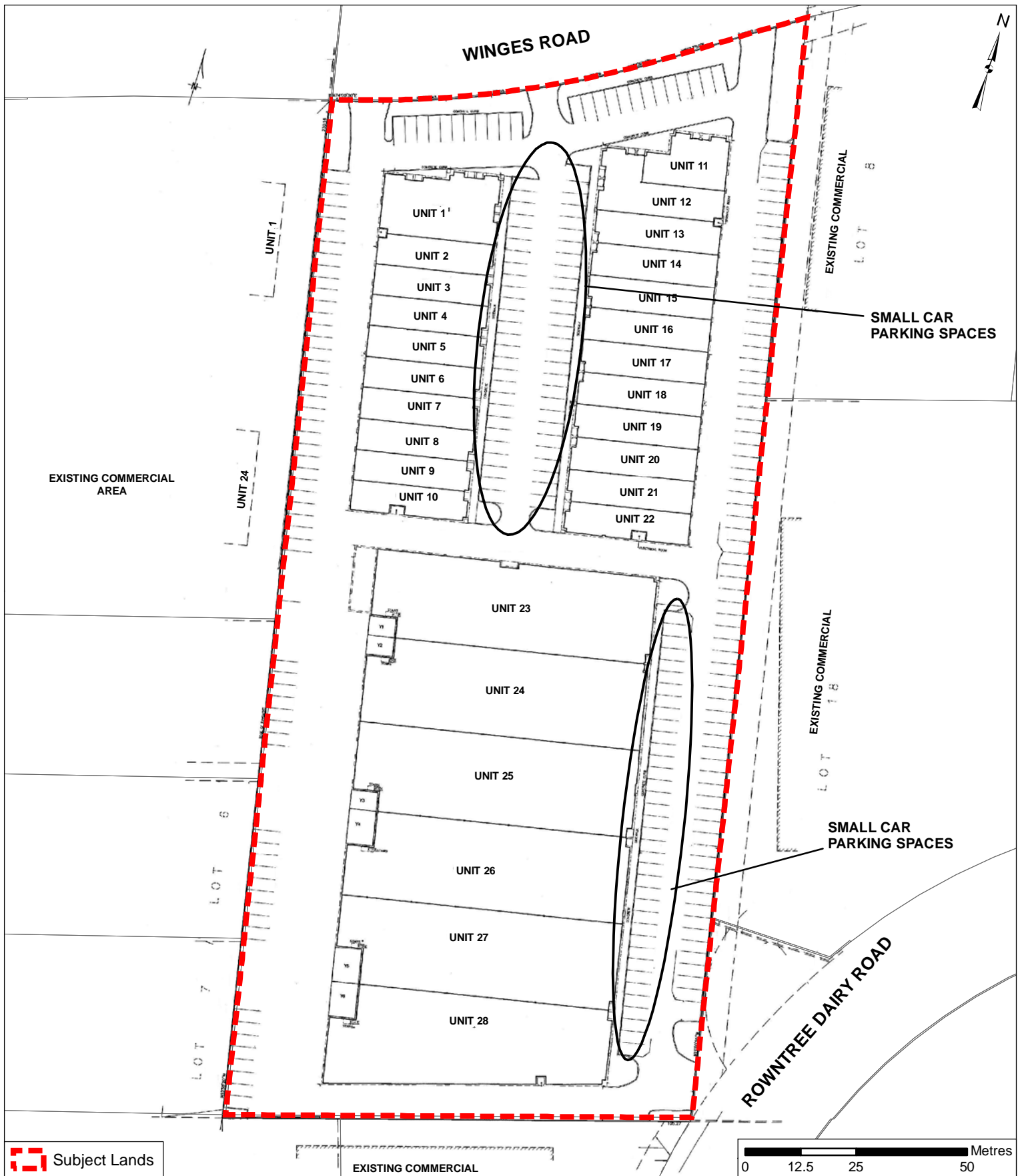


Attachment

FILE:
19CDM-18V005
RELATED FILE:

DATE:
May 7, 2019

2



Draft Plan of Condominium

LOCATION:
Part of Lot 5, Concession 6

APPLICANT:
Winges Rowntree Holdings Inc.



Attachment

FILE:
19CDM-18V005
RELATED FILE:

DATE:
May 7, 2019

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