

Committee of the Whole (1) Report

DATE: Tuesday, March 5, 2024

WARD: 5

TITLE: 300 ATKINSON INC.
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENT)
19CDM-21V005
300 ATKINSON AVENUE
VICINITY OF ATKINSON AVENUE AND CENTRE 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 (Common Element) File 19CDM-21V005 for the subject lands shown on Attachment 1 to establish the condominium tenure for a residential townhouse development, consisting of 106 units, shown on Attachments 2 to 4, subject to the Conditions of Draft Plan of Condominium Approval in Attachment 5.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Common Element) Application to establish condominium tenure for a 106-unit residential townhouse development which includes 50 standard townhouse units and 56 back-to-back townhouse units with one level of underground parking.
- The Owner is required to submit a Part Lot Control Application to create the residential parcels.
- The Development Planning Department supports the approval of the Draft Plan of Condominium File 19CDM-21V005, subject to conditions.

Recommendation

1. THAT Draft Plan of Condominium (Common Element) File 19CDM-21V005 (300 Atkinson Inc.) BE APPROVED, to establish the condominium tenure for a 106-unit residential townhouse development with one level of underground parking, as shown on Attachments 2 to 4, subject to the Conditions of Draft Approval in Attachment 5.

Background

Location: 300 Atkinson Avenue (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

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

Council on May 18, 2021, approved Files OP.19.001, Z.19.002 and DA.19.083 to permit 114 townhouse units, including 68 back-to-back townhouse units. Standard townhouse units are permitted in the Low- Rise Residential designation, however, an amendment to Vaughan Official Plan 2010 (VOP 2010) was required to permit back-to-back townhouse units. Zoning By-law 1-88 was amended to rezone the Subject Lands from an "R3 Residential Zone" to an "RM2 Multiple Residential Zone" to permit the townhouse development.

Council on May 17, 2022, approved Files Z.19.028 and DA.19.081 to permit one, 4 unit townhouse block.

A Site Plan Agreement was registered on May 25, 2023, for both Files DA.19.081 and DA.19.083 for a 106-unit residential townhouse development as shown on Attachments 2 to 4.

A Draft Plan of Condominium (Common Element) Application has been submitted to permit the proposed development

The Owner has submitted Draft Plan of Condominium (Common Element) (the 'Application') for the Subject Lands to establish common element condominium tenure for a 106-unit residential townhouse development (the 'Development') as shown on Attachments 2 to 4.

The Owner is required to submit a Part Lot Control Application to lift the part lot control provisions of the *Planning Act*, R.S.O. 1990, c. P.13 from the Subject Lands, in order to create conveyable freehold lots for the 106 townhouse units.

Previous Reports/Authority

Previous reports related to the application can be found at the following links:

300 Atkinson Inc. Committee of the Whole Report
[May 4, 2021, Committee of the Whole \(Item 1, Report 22\)](#)

Analysis and Options

The Application is Consistent and Conforms with the Provincial Policy Statement the Growth Plan, YROP and VOP 2010

Provincial Policy Statement, 2020 ('PPS')

The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitate a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS. Staff are satisfied that the Proposed Development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Subject Lands are located in proximity to higher order transit facilities and a York Region Protected Major Transit Station Area ('PMTSA'). The Growth Plan defines a PMTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands are located north and east of the Disera-Promenade Bus Rapid Transit ('BRT') Station. The Development shown on Attachments 2 to 4 conforms to the Growth Plan.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands as "Urban Area" which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within in proximity to the Disera-Promenade BRT Station. The Proposed Development, which conforms to the YROP 2022, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

York Region Official Plan 2010 ('YROP 2010')

The YROP 2022 replaces the YROP 2010 with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Application was deemed complete prior to the approval of YROP 2022, the YROP 2010 remains as the in-force Regional Official Plan against which conformity of the Application is measured.

The YROP 2010 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located north and east of the Disera-Promenade BRT Station PMTSA. The Proposed Development, which conforms to the YROP 2010, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Community Area" on Schedule 1 – "Urban Structure" of VOP 2010
- "Low-Rise Residential" on Schedule 13 – "Land Use" of VOP 2010 and subject to Volume 2, Site Specific Policy 13.61 300 Atkinson Avenue (OPA #65)

The Site Specific Policy 13.61 permits 68 back-to-back townhouse units in addition to townhouse units permitted by the Low- Rise Residential designation.

The Application conforms to VOP 2010.

The Condominium Plan is consistent with the Council approved Site Development Files DA.19.081 and DA.19.082

The Draft Plan of Condominium (Common Element) shown on Attachments 3 and 4 is consistent with the approved site plans for the Subject Lands. The Development Planning Department has no objection to the Application, subject to the Conditions identified in Attachment 5.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department has no objection to the Application

DE has no objection to the application, subject to the Conditions identified in Attachment 5.

Parks Infrastructure Planning and Development has no objection to the Application

Parks Infrastructure Planning and Development has no objection to the application, subject to the Conditions identified in Attachment 5.

Other external agencies and various utilities have no objection to the Application

The York Catholic District School Board, Canada Post, Alectra, Enbridge, Bell Canada, have no objection to the Application, subject to the conditions included in Attachment 5.

Other City Departments and agencies have no objection to the Application

Urban Design, Emergency Planning, By-law Compliance, Fire, Policy Planning and Special Projects, Financial Planning and Development Finance, and Environment Services have no objection to the Application, subject to the Conditions included in Attachment 5.

Broader Regional Impacts/Considerations

York Region has no objection to the Application subject to the conditions identified in Attachment 5.

Conclusion

The Development Planning Department is satisfied the Application to create a common element condominium tenure for the Development, subject to Conditions of Draft Approval identified in Attachment 5, as it is consistent with the PPS, conforms with the Growth Plan, YROP 2010 and VOP 2010, and would implement a Council approved development.

For more information, please contact Carol Birch, Planner, at extension 8485.

Attachments

1. Context and Location Map
2. Approved Site Plan
3. Draft Plan of Condominium - Common Elements
4. Draft Plan of Condominium - Common Elements (Below Grade)
5. Conditions of Draft Plan of Condominium Approval File 19CDM-21V005
6. 5a – York Region Conditions

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Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Haiqing Xu, on behalf of
Nick Spensieri, City Manager