

## Committee of the Whole (2) Report

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**DATE:** Tuesday, October 22, 2024

**WARD(S):** 1

**TITLE:** LAURIER HARBOUR (KEELE) INC.

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-24V002  
(COMMON ELEMENT CONDOMINIUM)**

**9785 & 9797 KEELE STREET**

**VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE  
WEST**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek approval from Council for a Draft Plan of Condominium (Common Elements) Application to permit the proposed condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, consisting of a private driveway, two (2) visitor parking spaces and outdoor amenity space for eight (8) townhouse units and eight (8) semi-detached units, as shown on Attachments 2 and 3.

### **Report Highlights**

- The Owner proposes a condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, that consists of a private driveway, two (2) visitor parking spaces and outdoor amenity space for (eight) 8 townhouse units and eight (8) semi-detached units.
- A Draft Plan of Condominium (Common Elements) Application is required to permit the proposed development.
- The Development Planning Department supports the proposed development subject to conditions as outlined in this report.

## **Recommendations**

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-24V002 (LAURIER HARBOUR (KEELE) INC.) BE DRAFT APPROVED, as shown on Attachment 3, subject to the Conditions of Draft Approval in Attachment 5; and
2. THAT Council's approval of Draft Plan of Condominium (Common Elements) File 19CDM-24V002, subject to the conditions set out in Attachment 5, be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

## **Background**

Location: 9785 and 9797 Keele Street (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 1.

### ***A Site Development Application to facilitate a residential development of 8 townhouse units and 8 semi-detached units served by a private common element driveway on the Subject Lands has been approved.***

Site Development Application (File DA.17.068) was approved to facilitate the residential development of eight (8) townhouse units, eight (8) semi-detached units and common elements that consists of a private driveway, two (2) visitor parking spaces, and outdoor amenity space (the 'Development'). The Site Plan Agreement for the approved residential development was registered (Instrument No. YR3588383) on August 21, 2023.

### ***A Draft Plan of Condominium (Common Element) Application has been submitted to permit the proposed condominium tenure.***

Laurier Harbour (Keele) Inc. (the 'Owner') has submitted an Application for Draft Plan of Condominium (Common Elements) (the 'Application') for the Subject Lands to permit the proposed condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, that consist of a private driveway, two (2) visitor parking spaces and outdoor amenity space (the 'Common Element Condominium' or 'CEC') as shown on Attachment 3.

### ***An Exemption from Part Lot Control Application is required to implement the Development.***

The Owner has submitted a concurrent Exemption from Part Lot Control Application (PLC.24.002) to lift the part lot control provisions of the *Planning Act* from the Subject Lands, in order to create conveyable freehold lots (Parcels of Tied Land) for the eight (8) townhouse units and eight (8) semi-detached units.

## **Previous Reports/Authority**

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

Centra (Keele) Inc., Public Hearing Report:

[December 1, 2015, Committee of the Whole \(Public Hearing\) Report \(Item 1, Report No. 45\)](#)

Laurier Harbour (Keele) Inc. Committee of the Whole Report:

[November 19, 2019, Committee of the Whole \(1\) Report \(Item 2, Report No. 34\)](#)

Laurier Harbour (Keele) Inc, Local Planning Appeal Tribunal Decision

[Case No. PL170643 dated April 2, 2020](#)

## **Analysis and Options**

***The Application is consistent with the Provincial Policy Statement, 2020 ('PPS 2020') and the Provincial Planning Statement, 2024 ('PPS 2024'), and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') 2019, as amended, the York Region Official Plan ('YROP') 2022 and the Vaughan Official Plan ('VOP') 2010.***

The PPS 2024 is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the PPS 2020 the Growth Plan, 2019, as amended, and the new PPS 2024.

### **PPS 2020**

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a 'Settlement Area' and an existing 'Community Area' of the 'Urban System' of York Region. Policy 1.1.3 of the PPS directs development to Settlement Areas where new development should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. Staff are satisfied that the Application is consistent with the PPS.

### The Growth Plan, 2019, as amended

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Growth Plan states that settlement area boundaries are delineated in applicable official plans. Section 2.2.1 of the Growth Plan directs the vast majority of growth to settlement areas that: have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. The Subject Lands are located within the 'Urban Boundary' and an existing 'Community Area' of the 'Urban Area' of City of Vaughan. The 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 Application conforms to the Growth Plan.

### PPS 2024

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The PPS 2024 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents. This is permitted and facilitated through the provision of all housing options required to meet the social, health, economic and well-being requirements of current and future residents, and all types of residential intensification, including the development and introduction of new housing options within previously developer areas, and redevelopment which results in a net increase in residential units.

The Application contributes to the provision of a range and mix of housing options within the area, and results in a net increase of residential units on the Subject Lands. The Application is consistent with the PPS 2024.

### YROP 2022

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statute Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The Subject Lands are within a 'Settlement Area' and an existing 'Community Area' of the 'Urban System' of York Region. 'Community Areas' include delineated Built-up Areas and Designated Greenfield Areas. Policy 4.1.1 of the YROP identifies that the primary location for growth and development within York Region will take place within the 'Urban System'.

'Community Areas' permit a range of residential, commercial, industrial and institutional uses and are where most of the housing required to accommodate the forecasted population will be located, as well as most population-related jobs and most office jobs. The Application conforms to the YROP 2022.

#### 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, Volume 1.
- Designated "Low-Rise Residential" on Schedule 13 – "Land Use" in VOP 2010, Volume 1.

As outlined in subsection 9.2.2.1 of the VOP 2010, the "Low-Rise Residential" designation permits residential units, home occupations, private home day care and small-scale convenience retail uses within the following building typologies: detached dwellings, semi-detached house, townhouses, and public and private institutional buildings.

The Subject Lands are subject to site-specific policy 13.53 (OPA #54) of the VOP 2010, Volume 2, which permits a maximum of 8 townhouse units and 8 semi-detached units located on a private road. The Application conforms to VOP 2010.

#### ***The Development complies with Zoning By-law 001-2021.***

The Subject Lands are currently zoned "RT1 – Townhouse Residential Zone" and "RT2 – Townhouse Residential Zone" in Zoning By-law 001-2021, subject to site-specific Exception 14.1147. The Development as shown on Attachments 2 and 3 complies with Zoning By-law 001-2021.

#### ***The Draft Plan of Condominium is consistent with the approved Site Development Application.***

On August 21, 2023, Site Development Application File DA.17.068 was approved to permit the Development as shown on Attachment 2. The Application as shown on Attachment 3 is required to create the common element tenure for the following:

- Private driveway
- Two (2) visitor parking spaces
- Outdoor amenity space

The Application is consistent with the approved Development.

### **Financial Impact**

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

### **Operational Impact**

***Internal City Departments, external agencies and various utilities have no objection to the Application.***

The Development Engineering Department, Development Finance Department, Waste Management, Bell Canada, Canada Post and Enbridge Gas Inc. have no objections to the Application, subject to the Conditions of Approval in Attachment 5.

The Building Standards Department, By-law and Compliance Licensing and Permit Services Department, Emergency Planning, Environmental Planning division, Fire Prevention, Infrastructure Planning and Corporate Asset Management, Urban Design division, Zoning Department, Parks Infrastructure Planning and Development, Real Estate Department, Alectra Utilities Corporation, Hydro One Networks Inc., Rogers Communications, Toronto and Region Conservation Authority, York Catholic District School Board and York Region District School Board have no objections to the Application.

### **Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has no objection to the Application, subject to the Conditions of Approval in Attachment 5.

### **Conclusion**

The Development Planning Department is satisfied that the Application is consistent with the PPS 2020 and PPS 2024, conforms with the Growth Plan, YROP 2022 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses.

Accordingly, the Development Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Approval in Attachment 5.

**For more information**, please contact Casandra Krysko, Senior Planner, Development Planning at extension 8003.

## **Attachments**

1. Context and Location Map
2. Approved Site Plan File DA.17.068
3. Draft Plan of Condominium (Common Elements)
4. Draft Reference Plan – Parcels of Tied Land
5. Conditions of Draft Plan of Condominium Approval

## **Prepared by**

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