

Committee of the Whole (1) Report

DATE: Tuesday, October 8, 2024

WARD: 4

TITLE: 2465900 ONTARIO LIMITED – DRAFT PLAN OF CONDOMINIUM
(STANDARD) FILE 19CDM-23V007: 582 RIVERMEDE ROAD,
VICINITY OF KEELE STREET AND RIVERMEDE ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Council approval of a Draft Plan of Condominium (Standard) File 19CDM-23V007 for the subject lands as shown on Attachment 1. The owner is proposing to establish a standard condominium tenure for an existing multi-unit employment building consisting of 16 employment units, 5 units for exclusive use by a condominium unit owner for outside storage, 57 parking spaces (calculated at the rate for an Industrial mall use), a driveway (fire route) and a landscaped area.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish a standard condominium tenure for an existing multi-unit employment building, subject to the Conditions of Draft Plan of Condominium Approval.
- The Draft Plan of Condominium (Standard) consists of 16 employment units, 5 units for the exclusive use by a condominium unit owner for outside storage, 57 parking spaces (calculated at the rate for an Industrial mall use), a driveway (Fire Route) and a landscape strip.
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 001-2021.
- The Development Planning Department supports the proposed Draft Plan of Condominium File 19CDM-23V007, subject to conditions.

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-23V007 (2465900 Ontario Limited) BE APPROVED, to establish condominium tenure for the existing multi-unit employment building as shown on Attachment 3, subject to the Conditions of Draft Plan of Condominium Approval in Attachment 4; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-23V007 subject to the conditions set out in Attachment 4, be for a period of three years (no less than three years) from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: 582 Rivermede Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The existing building contains 16 employment units with an exterior loading area, and an existing outdoor storage area at the rear of the building which provides storage for equipment, a fire route, parking areas and a landscape strip as shown on Attachment 2. No changes to the building or site are proposed. A building permit was issued for this property in 1970. The Subject Lands are not subject to Site Plan Control.

A Draft Plan of Condominium (Standard) Application has been submitted to permit the proposed condominium

2465900 Ontario Limited (the 'Owner') has submitted a Draft Plan of Condominium File 19CDM-23V007 (the 'Application') for the Subject Lands to establish the standard condominium tenure for the existing multi-unit employment building and property as shown on Attachment 3.

Previous Reports/Authority

Not applicable

Analysis and Options

The Development is consistent with the Provincial Planning Statement 2024 and the Provincial Policy Statement 2020 and conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan

The Provincial Planning Statement 2024 ('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

Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

Provincial Policy Statement, 2020 ('PPS 2020')

The PPS 2020 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 the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. The Condominium tenure will not change the built form or use of the existing building. Staff are satisfied that the Application is consistent with the PPS 2020.

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

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 Application shown on Attachment 3 does not change the built form or use of the existing building and conforms to the Growth Plan.

Provincial Planning Statement, 2024 ('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 Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. The Condominium tenure will not change the built form or use of the existing building. Staff are satisfied that the Application is consistent with the PPS 2024.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within an existing employment business park established in the 1970's and falls within the employment area designation in the YROP 2022. The Application conforms to the YROP 2022.

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:

- "Employment Area" on Schedule 1 – "Urban Structure" of VOP 2010
- "General Employment" on Schedule 13 – "Land Use" of VOP 2010

The Application on Attachment 3 maintains the existing building and the multi-unit employment use on the Subject Lands. On this basis, the Application conforms to VOP 2010.

Zoning By-law 001-2021

The Subject Lands are zoned General Employment Zone EM2 subject to site-specific Exception EM2-103. The exception recognizes a 1978 approval permitting a restaurant and banquet hall within the south-east corner of the building. Currently all units within the building are employment uses.

A related Committee of Adjustment Minor Variance Application to Zoning By-law 001-2021 was required for this Application

The Owner submitted an application to the Committee of Adjustment (File A071/24) to seek relief from the following zoning provisions:

- To permit the use of the “Industrial Mall” parking requirement for the purpose of calculating parking on the Subject Lands
- For the purposes of zoning conformity only, the Subject Lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, or other permissions and easements or registrations that are granted

Committee of Adjustment approved the requested variances on June 20, 2024. The Final and Binding Notice was issued on July 11, 2024.

The Development Planning Department supports the Application, subject to the conditions outlined in this report

The Draft Plan of Condominium (Standard) shown on Attachment 3 is consistent with the existing development on the Subject Lands (Attachment 2). The outdoor storage area will be divided into 5 fenced storage units. These outdoor storage units will become units through the Application and will provide an opportunity for outdoor storage units to be purchased by the building unit owners. The Condominium Declaration will restrict ownership of the outdoor storage units to only parties who own a unit within the existing employment building. This will ensure the outdoor storage use is tied to the corresponding use within the building. The existing fencing around the outdoor storage units will screen the units from view from the road.

The Committee of Adjustment approved the related Minor Variance Application A071/24 to recognize the Subject Lands for the purposes of zoning conformity only, to be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent or other permissions and easements or registrations that are granted.

The parking for the building has been calculated using the Industrial Mall parking requirement (1.5 spaces / 100 m²) from By-law 001-2021. Although an Industrial Mall is not a permitted use within the EM2 Zone, the Committee of Adjustment's approval of Application A071/24 allowed the Industrial Mall parking rate for the site to provide a total of 57 parking spaces. Development Engineering is satisfied that sufficient parking is provided.

Transportation Engineering Department (TE) Comments

The Transportation Engineering Department recognizes that parking for the site has been calculated at the industrial mall rate. However, the existing site-specific zone provision on the property allows for a restaurant / banquet hall facility in the southeast corner of the building. Should such a use be proposed to occupy that corner of the building in the future, additional parking spaces will be required for that use in accordance with the City's in effect Comprehensive Zoning By-law parking requirements.

No vehicle access is permitted to storage Units 17-21. In addition, for the remainder of the site, a heavy single unit truck is the largest delivery vehicle permitted on site. This requirement will be added to the condominium agreement and declaration (Attachment 4).

The Development Planning Department can support the approval of the Application shown on Attachment 3, and conditions of Draft Plan of Condominium identified in Attachment 4.

Financial Impact

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

Operational Impact

City Departments and agencies having no objection to the Application subject to Conditions

Enbridge, Bell Canada, Financial Planning and Development Finance, Development Engineering and Vaughan Fire and Rescue Service, all have no objections to the Application, subject to Conditions of Draft Approval in Attachment 4.

Other City Departments and agencies having no objection to the Application

Emergency Planning, Infrastructure Development, Alectra, Parks Infrastructure Planning and Development, Building Standards, Enforcement Services, Rogers Communications, Metrolinx, Environmental Services Solid Waste Management, and Real Estate Department all have no objection to the Application.

Broader Regional Impacts/Considerations

York Region has no objection to the approval of this Application.

The Toronto and Region Conservation Authority (TRCA) has provided comments and conditions of approval

A portion of the Subject Lands is located with TRCA's Regulated Area due to a Regional Storm flood plain associated with a tributary of the Don River and is subject to Ontario Regulation 166/06. Development is permitted in the Regulated Area, where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. TRCA acknowledged that the development on site is existing, and no changes will site result from this Application.

TRCA flood plain mapping and modelling, identifies the southern portion of the Subject Lands as impacted by a Regional Storm flood plain associated with a watercourse located to south of the Subject Lands. TRCA acknowledges the inherent risk associated with the existing land use/building do not represent an increase in risk to life and property. To manage future risk and ensure future owners are aware of the existing flood hazard conditions, TRCA requested an Emergency Management Plan be incorporated in the Condominium Agreement and condominium articles and, warning clauses be included in all agreements of purchase and sale, to identify a flood hazard. A condition is included in Attachment 4 to address TRCA's conditions of approval.

The Flood Management Plan provided by the Owner is acceptable to Vaughan's Emergency Planning section of the Fire and Rescue Service. It will be the responsibility of each individual owner to have plans and procedures for flood events that may impact their unit. The City also requires that the Owner shall inform the tenants of the flood risk in the warning clauses of all Agreements of Purchase and Sale. A condition is included in Attachment 4 to address the City's conditions of approval.

Conclusion

The Development Planning Department is satisfied the Application to create a standard condominium tenure for the existing multi-unit employment building on the Subject Lands, subject to Conditions of Draft Approval identified in Attachment 4, is consistent with PPS, conforms with the Growth Plan, YROP and VOP 2010, and is 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 Draft Approval in Attachment 4.

For more information, please contact Laura Janotta, Planner, at extension 8634.

Attachments

1. Context and Location Map.
2. Existing Site Conditions.
3. Draft Plan of Condominium: File 19CDM-23V007.
4. Conditions of Draft Approval.

Prepared by

Laura Janotta, Planner, ext. 8634.

Margaret Holyday, Senior Planner, ext. 8216.

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

Nancy Tuckett, Director of Development Planning, ext. 8529.