



C10
Communication
Council – October 29, 2024
CW(2) – Report No. 35 Item No. 5

DATE: October 28, 2024
TO: Mayor and Members of Council
FROM: Haiqing Xu, Deputy City Manager, Planning and Growth Management
RE: **COMMUNICATION – Council, October 29, 2024**
Item #5, Report #35

**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**

Recommendation

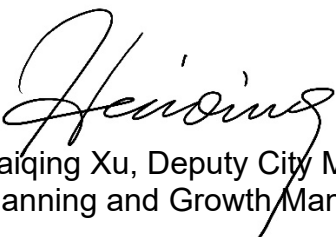
1. THAT Attachment 5 to Item #5 – Conditions of Draft Plan of Condominium Approval, Report #35 of the October 22nd, 2024 Committee of the Whole (2) be deleted and replaced with the new Attachment 5 – Conditions of Draft Plan of Condominium Approval attached hereto to this Communication.

Background

In consultation with the Applicant, draft plan conditions 5 and 6 for Draft Plan of Condominium Approval File 19CDM-24V002 have been updated to provide greater clarity to future residents/homeowners in the required warning clauses. The warning clauses have been updated to specify which lots contain infiltration trench systems or underground storm storage chambers. The draft plan conditions have also been updated to more specifically reference the environmental noise guidelines NPC-300 of the Ministry of Environment, Conservation and Parks. Other more administrative changes that do not change the intent of the conditions have also been made.

For more information, contact Casandra Krysko, Senior Planner, Development Planning Department, ext. 8003.

Respectfully submitted by


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Attachments

1. Attachment 5 – Conditions of Draft Plan of Condominium Approval, Committee of the Whole (2) (Item 5, Report No. 35)

ATTACHMENT NO. 5

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-24V002
(THE 'PLAN')**

**LAURIER HARBOUR (KEELE) INC. ('THE OWNER')
9785 AND 9797 KEELE STREET
PART OF LOT 19, CONCESSION 3 ('THE LANDS')
CITY OF VAUGHAN (THE 'CITY')**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE 'CITY')
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF
PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-24V002, ARE AS
FOLLOWS:**

City of Vaughan Conditions:

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Schaeffer Dzaldov Purcell Ltd., drawing File No. 16-227-30 dated June 5, 2024.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department for review.
3. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any conditions that the City may consider necessary that may be outstanding as part of Site Development File DA.17.068.
4. The following provision(s) shall be included in the Condominium Agreement:
 - a. The Owner/Condominium Corporation shall be responsible for private waste collection services. Private waste collection vehicles shall not back-up onto a public and/or adjacent private property. This development will not be eligible for municipal waste collection services.
 - b. The Owner/Condominium Corporation shall be responsible for the regular cleaning and maintenance of all catch basins, area drains, water treatment and infiltration infrastructure, and sewers within the Lands.
 - c. The Owner/Condominium Corporation agrees that any retaining walls and subsurface infrastructure shall be situated within the Parcels of Tied Land ("POTLs") of the proposed townhouse and semi-detached units fronting onto the common element condominium road pursuant to the Site Plan Agreement

and schedules, and the condominium declaration shall require the Condominium Corporation to maintain and manage the retaining walls and subsurface infrastructure and reserve a right of entry for the Condominium Corporation onto those POTLs to carry out such obligations.

- d. Should archeological resources be found on the Lands during construction activities, the Owner must immediately cease all construction and grading activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Public and Business Service Delivery for the purposes of determining whether any future investigation is warranted and complete any such investigation prior to the resumption of construction activities.
5. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements, and Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan including but not limited to the following:
 - a. "Purchasers and/or tenants for all Lots on Block 5, and Block 6 are advised that their rear yard lot area has been designed to incorporate an infiltration trench system or underground storm storage chamber to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench systems or underground storm storage chambers in good operating condition, which may include periodic cleaning of the rear yard catch basin. No planting activity or structures are permitted on the infiltration trenches or storm storage system."
 - b. "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels may exceed the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks' environmental noise guidelines NPC-300."
6. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements, and Offers of Purchase and Sale or Lease for all Lots on Block 1, Block 2, Block 3 and Block 4 on the Plan including but not limited to the following:

- a. "This unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby reducing the indoor sound levels to within the Municipality's and the Ministry of Environment, Conservation and Parks noise criteria."
 - b. "This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring the the indoor sound levels are within the Municipality's and the Ministry of Environment, Conservation and Parks noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done to minimize the noise impact. Air conditioners of 38,900 BTU/hour or less should have a maximum sound power emission rating of 7.6 bels as per ARI Standard 270)."
7. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements and Offers of Purchase and Sale or Lease for all Lots on Block 5 and Block 6 on the Plan including but not limited to the following:
 - a. "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks."
8. Prior to the occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the required warning clauses have been included in the Offers of Purchase and Sale, Lease/Rental Agreements and Condominium Declarations.
9. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
10. Prior to the registration of the Plan, the Owner shall confirm that the common elements include infrastructure required to service the POTLs.
11. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department. The Owner shall submit all final plans, including fully dimensioned plans and site-statistics, confirming compliance with all By-law 001-2021 requirements, as required, to the satisfaction of the Development Planning and the Zoning Division, Building Standards Department. Should any relief from Zoning By-law 001-2021 be required, the Owner shall successfully obtain

approval of a Minor Variance application for the required site-specific exceptions to Zoning By-law 001-2021 from the Vaughan Committee of Adjustment. The Committee's decisions regarding the Minor Variance shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

12. The Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities (Alectra Corporation Utilities, Rogers, Bell, Enbridge Gas Inc.), drainage and construction purposes have been granted to the appropriate authorities.
13. Prior to occupancy of any POTL, the Owner's noise consultant shall certify that the building plans have incorporated the noise control features recommended by the final detailed noise impact assessment report as set out in the Site Plan Agreement. Where mitigation measures such as wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final detailed noise impact assessment report and be submitted to Vaughan's Chief Building Official and the Director of Development Engineering.
14. The Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Financial Planning and Development Finance department.

York Region Conditions:

15. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued for the Lands on June 22, 2022 under Regional File No. SP.17.V.0303 have been satisfied.
16. Prior to final approval, the Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the Lands issued on June 22, 2022 under Regional File No. SP.17.V.0303.
17. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
18. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

Bell Canada Conditions:

19. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
20. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Enbridge Conditions:

21. If the gas main(s) needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.
22. In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

Canada Post Conditions:

23. The Owner/Condominium Corporation will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
24. The Owner/Condominium Corporation will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
25. The Owner/Condominium Corporation will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
26. The Owner/Condominium Corporation will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads.

This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.

27. The Owner/Condominium Corporation will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.

Clearances

28. The City of Vaughan shall advise that Conditions 1 to 14 have been satisfied.
29. York Region Community Planning and Development Services shall advise the Development Planning Department that Conditions 15 to 18 have been satisfied.
30. Bell Canada shall advise the Development Planning Department that Conditions 19 and 20 have been satisfied.
31. Enbridge shall advise the Development Planning Department that Conditions 21 and 22 have been satisfied.
32. Canada Post shall advise the Development Planning Department that Conditions 23 to 27 have been satisfied.