

Committee of the Whole (1) Report

DATE: Tuesday, December 03, 2024

WARD: 4

TITLE: DULCINA INVESTMENT INC.: DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-23V006 – 27 KORDA GATE, VICINITY OF JANE STREET AND KORDA GATE

FROM:

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-23V006 for the subject lands shown on Attachment 1 to establish a standard condominium tenure for a mixed-use residential apartment building with a maximum building height of 29-storeys, 342 residential units, and 275 m² of at-grade commercial uses as shown on Attachments 2 to 5, subject to the Conditions of Draft Plan Approval in Attachment 6.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish condominium tenure for a mixed-use residential apartment building with a maximum building height of 29-storeys, 342 residential units, and 275 m² of at-grade commercial uses, and three levels of underground parking
- The Development and Parks Planning Department supports the approval of the Draft Plan of Condominium File 19CDM-23V006, subject to conditions.
- The Ontario Land Tribunal (Previously known as the Local Planning Appeal Tribunal and Ontario Municipal Board) on September 17, 2018, issued an Order approving the Zoning By-law for the Subject Lands, By-law 033-2019.

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-23V006 BE APPROVED, to establish condominium tenure for a mixed-use residential apartment building with a maximum building height of 29-storeys, 342 residential units, and 275 m² of at-grade commercial uses, and three levels of underground parking as shown on Attachments 2 to 5, subject to the Conditions of Draft Approval in Attachment 6;
2. THAT Council's approval of Draft Plan of Condominium File 19CDM-23V006 subject to the conditions set out in Attachment 6 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; and
3. THAT prior to the registration of the Condominium Agreement, the Owner register a Site Plan Agreement in association with the Council Approved Site Development File DA.20.060 (Dulcina Investments Inc.) approved by Council on June 20, 2023.

Background

Location: 27 Korda Gate (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The Ontario Land Tribunal (previously the Local Planning Appeal Tribunal) issued a Decision on September 17, 2018, for the overall landholdings

The Subject Lands form part of a larger 3.9 ha landholding for which the Ontario Land Tribunal ('OLT') on September 17, 2018, approved Zoning By-law 033-2019. The By-law permits the Development.

A Site Development Application was approved for the Subject Lands

Dulcina Investments Inc. (the 'Owner') previously submitted Site Development File DA.20.060 to permit the develop of the Subject Lands with a mixed-use residential apartment building with a maximum building height of 29-storeys, 342 residential units, 275 m² of at-grade commercial uses, and three levels of underground parking (the 'Development').

Council on June 20, 2023, endorsed the recommendation of the Committee of the Whole to approve Site Development File DA.20.060.

A Draft Plan of Condominium Application has been submitted to permit the proposed development

The Owner has submitted Draft Plan of Condominium (Standard) File 19CDM-23V006 (the 'Application') to establish standard condominium tenure for the existing Development, as shown on Attachments 2 to 5.

Previous Reports/Authority

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

Dulcina Investments Inc. File DA.20.060 Committee of the Whole Report
[May 30, 2023 Committee of the Whole Report \(Item No. 9, Report No.25\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement 2024 and conforms to the Vaughan Official Plan 2010

Provincial Planning Statement, 2024 ('PPS2024')

The PPS 2024 is a policy statement issued pursuant to section 3 of the Planning Act and came 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. The PPS 2024 provides policy direction on matters of Provincial interest related to land use planning and development and include meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians, with an emphasis on building homes, and sustaining strong and complete communities, infrastructure and facilities, 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 Lands are located in the City of Vaughan, one of the Large and Fast-Growing Municipalities listed in the PPS. 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 compact urban form, the utilization of existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes, facilitates a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS. Development and Parks Planning Staff are satisfied that the Development is consistent with the PPS.

York Region Official Plan 2022 ('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 Statue 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.

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
- "High-Rise Mixed Use" by the Vaughan Mills Centre Secondary Plan ('VMCSP'), Volume 2, Policy 11.7.

The "High-Rise Mixed-Use" designation permits a high-rise mixed-use building at a building height of 29-storesys with a Floor Space Index of 4.13 times the area of the lot.

The VMCSP was adopted by Vaughan Council through Official Plan Amendment NO. 2 ('OPA 2') and approved by York Region Council with modifications, on July 11, 2014. The OLT on September 17, 2018, issued its Order including a motion for partial approval and modifications to the VMCSP on the Subject Lands and for the approval of site-specific Zoning By-law Amendment File Z.09.038, to facilitate the development of the overall landholdings. Accordingly, conformity with VOP 2010 was established when the OLT rendered its decision. On this basis, the Development conforms to VOP 2010.

The Application complies with Zoning By-law 1-88 and is consistent with the Council endorsed Site Development File DA.20.060

The Subject Lands are zoned RA3 Residential Apartment Zone under By-law -188, subject to site-specific Exception 9(1472), as amended by By-law 003-2024.

The Draft Plan of Condominium (Standard) shown on Attachments 2 to 5 is permitted within the existing zone and is consistent with the approved site plan for the Subject Lands. The Development and Parks Planning Department recommends approval of the Application for the Development as shown on Attachments 2 to 5, subject to the Conditions of Approval in Attachment 6.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report

The DE Department has reviewed the Application and has no objection, subject to Conditions of Approval identified in Attachment 6.

Other City Departments and agencies have no objection to the Application

Building Standards, By-law Compliance, Licensing and Permit Services Department, Policy Planning and Environmental Services, Financial Planning and Development Finance Department, Development and Parks Planning Department, Real Estate Department, Infrastructure Planning and Corporate Asset Management Department and the York Region School Boards have no objection to the Application.

The various utilities have no objection to the Development

Bell Canada, Canada Post, Enbridge and Alectra Utilities Corporation have no objections to the Applications, subject to the conditions identified in Attachment 6. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included in the Conditions of Approval identified in Attachment 6.

Broader Regional Impacts/Considerations

The Application has been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval. The Owner is required to satisfy all York Region requirements, subject to the comments and Conditions of Approval in Attachment 6a).

Conclusion

The Development and Parks Planning Department is satisfied the Application to create a standard condominium tenure for the mixed -use building is consistent with the PPS, conforms to 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 and Parks Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Condominium Approval in Attachment 6.

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

Attachments

1. Context and Location Map.
2. Draft Plan of Condominium - File 19CDM-23V006.
3. Draft Plan of Condominium - Levels 1 – 13.
4. Draft Plan of Condominium - Levels 14 – 30.
5. Draft Plan of Condominium Underground Parking.
6. Conditions of Approval File 19CDM-23V006.

Prepared by

Carol Birch, Planner, ext. 8485.

Margaret Holyday, Senior Planner, ext. 8216.

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

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