

Committee of the Whole (2) Report

DATE: Tuesday, December 10, 2024

WARD(S): 2

TITLE: ROYBRIDGE HOLDINGS LIMITED

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-24V006

(COMMON ELEMENTS)

6100, 6110, 6120, 6130, 6140, 6150, 6170, 6200, 6210, 6220,

6230, 6240, 6250 AND 6260 HIGHWAY 7

VICINITY OF HIGHWAY 7 AND HIGHWAY 27

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 a Draft Plan of Condominium (Common Elements) File 19CDM-24V006 for the subject lands shown on Attachment 1, to permit a condominium tenure for the privately owned and maintained common elements of the development, consisting of private roads, to facilitate the creation of 15 parcels of tied lands ('POTLs') for existing and future employment buildings and parking, to establish the parking allocation for the POTLs, and the orderly operation, maintenance and financing of the POTLs shown on Attachments 2 and 3, and subject to the Conditions of Draft Plan Approval in Attachment 4.

Report Highlights

- Roybridge Holdings Limited, (the 'Owner') proposes a condominium tenure for the privately owned and maintained common elements of the development on the subject lands.
- A Draft Plan of Condominium (Common Elements) Application is required to permit the development.
- The Development and Parks Planning Department recommends approval of Draft Plan of Condominium File 19CDM-24V006, subject to the Conditions of Approval in Attachment 4.

Recommendations

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-24V006 (Roybridge Holdings Limited) BE APPROVED, as shown on Attachments 2 and 3, subject to the Conditions of Draft Approval in Attachment 4.
2. THAT Council's approval of Draft Plan of Condominium (Common Elements) File 19CDM-24V006, subject to the conditions set out in Attachment 4, be for a period of three (3) years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: 6100, 6110, 6120, 6130, 6140, 6150, 6170, 6200, 6210, 6220, 6230, 6240, 6250 and 6260 Highway 7 (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

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

The Owner submitted Draft Plan of Condominium File 19CDM-24V006 (the 'Application') on the Subject Lands to establish a common elements condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, consisting of private roads (the 'Development') in order to facilitate the creation of 15 POTLs for existing and future employment buildings and parking (at-grade and underground), to establish the parking allocation for the POTLs and the orderly operation, maintenance and financing of the POTLs.

The Subject Lands are located within a registered Plan of Subdivision to facilitate future POTLs.

The Subject Lands were developed by Draft Plan of Subdivision Files 19T-89058 and 19T-99V07, which were registered as Plan 65M-3627 (the 'Plan') on December 16, 2002. The Plan allows for the division of land in order to facilitate the proposed 15 POTLs on the 11.8 ha Subject Lands, known as Vaughan Valley Centre, as shown on Attachments 2 and 3. Nine (9) of the POTLs will have one (1) building and the corresponding required parking spaces (i.e., POTLs 2 to 7 inclusive, and POTLs 9 to 11 inclusive). One (1) POTL will contain three (3) buildings and the corresponding required parking spaces (i.e., POTL 1). One (1) POTL will consist of only parking spaces with the expectation of an employment/commercial building in the future (i.e., POTL 8). Three (3) POTLs will consist of surplus parking spaces (i.e., POTLs 12, 13 and 14). One (1) POTL is a portion of an underground parking structure (i.e., POTL 15). The building located in POTL 10 has two (2) levels of underground parking, as shown on Attachment 3. On the first level, a portion of the area dedicated to the parking spaces and all of the drive aisles are within POTL 10. The remaining portion of the parking spaces are within POTL 15. Access easements will be created in favour of POTL 10 and POTL 15, both at grade

and stratified underground to facilitate a shared 2-storey underground parking structure with vehicular and pedestrian access. Parking on the second level will all be within POTL 10.

Site Development Applications were approved to facilitate the employment buildings.

Several Site Development Applications were approved on the Subject Lands to facilitate the development of the 12 buildings including office buildings, single and multi-tenant employment buildings, hotels, event centre building, restaurants, and financial institutions. The total Gross Floor Area ('GFA') of buildings that are existing and under construction is 43,429 m². All the buildings are existing except for one building which is under construction and located within POTL 6 for a future hotel. The Subject Lands provide 2,124 parking spaces for the commercial and employment uses.

A Minor Variance Application was approved by the Committee of Adjustment to amend the definition of a Lot.

A Minor Variation Application (File A085/23) was submitted by the Owner to the Committee of Adjustment to seek relief to both Zoning By-law 1-88 and Zoning By-law 001-2021 to permit the Subject Lands legally described as "All of Blocks 44, 45 and 46, and Parts of Blocks 38, 39, 42 and 43, Plan 65M-3627, and Part of Lot 6, Concession", to be deemed one (1) lot to facilitate the processing of Consent Applications for the "Partial Discharge of a Mortgage" and "New Mortgage Charge" submitted concurrently for parts of the Subject Lands. The Committee of Adjustment, at its July 13, 2023 meeting, approved the requested relief.

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

The Owner shall be required to submit a Part Lot Control Exemption Application to lift the part lot control provisions of the *Planning Act* from the Subject Lands, in order to create conveyable freehold lots to create the 15 POTLs.

Previous Reports/Authority

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

Draft Plan of Subdivision Application File 19T-89058 (page 152)
[June 18, 2001, Committee of the Whole \(Item 38, Report 49\)](#)

Draft Plan of Subdivision Application File 19T-99V07 (page 310)
[December 3, 2001, Committee of the Whole \(Item 25, Report 77\)](#)

Site Development Application File DA.06.031 (page 83)
[May 14, 2007, Committee of the Whole \(Item 20, Report 26\)](#)

Site Development Application File DA.12.021 (page 140)
[June 5, 2012, Committee of the Whole \(Item 47, Report 25\)](#)

Site Development Application File DA.13.028
[May 21, 2013, Committee of the Whole \(Item 21, Report 23\)](#)

Site Development Application File DA.16.043
[June 21, 2016, Committee of the Whole \(Item 26, Report 27\)](#)

Site Development Application File DA.18.041
[January 22, 2019, Committee of the Whole \(Item 4, Report 4\)](#)

Site Development Application File DA19.028
[June 4, 2019, Committee of the Whole \(Item 16, Report 20\)](#)

Site Development Application File DA.18.080
[June 16, 2024, Committee of the Whole \(Item 7, Report 25\)](#)

Analysis and Options

The Application is consistent with the Provincial Planning Statement, 2024 ('PPS 2024'), and conforms to the York Region Official Plan ('YROP') 2022 and the Vaughan Official Plan ('VOP') 2010.

The Application establishes a common elements condominium tenure for the Development on the Subject Lands shown on Attachment 1, which had been previously approved through various Site Development and Draft Plan of Subdivision Applications over a number of years, and reviewed for consistency and conformity with Provincial, Regional, and city policy documents in-effect at the time.

PPS 2024

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. Therefore, the Application is subject to the policies of PPS 2024.

The PPS 2024 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 Development provides a mixed-use development in the City's established Settlement Area where full municipal services exist. The

Development facilitates a mixed-use development where commercial and employment uses are provided and utilizes the existing municipal infrastructure. Staff are satisfied that the Development 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 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.

The Development 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:

- "Employment Area" next to a "Regional Intensification Corridor within an Employment Area" on Schedule 1 – "Urban Structure" of VOP 2010
- "Employment Commercial Mixed-Use" with maximum building height of 10 storeys and a maximum floor space index ('FSI') of three (3) times the area of the lot on Schedule 13 – "Land Use" of VOP 2010.

The "Employment Commercial Mixed-Use" designation permits office uses, hotels, cultural and entertainment uses, and retail uses at a maximum building height of 10 storeys and a maximum FSI of three (3) times the area of the lot. The Development conforms to VOP 2010.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law.

The Owner appealed Zoning By-law 001-2021, and therefore the Subject Lands are to be reviewed under both Zoning By-law 1-88 and Zoning By-law 001-2021.

Zoning By-law 001-2021

- “EMU – Employment Commercial Mixed-Use Zone” and “EM1 – Prestige Employment Zone” by Zoning By-law 001-2021, subject to site-specific Exceptions 14.785, 14.790 and 14.792.
- These zones permit the Development.
- A Minor Variance Application (File A085/23 was approved to amend the definition of “lot” as it is defined by Zoning Bylaw 001-2021 to consider the Subject Lands in their entirety as one lot for the purposes of complying to the zoning. The Minor Variance Application was heard on July 13, 2023, and the Notice of Decision was provided on July 20, 2023. On August 3, 2023, the Final and Binding Notice was sent out advising that no appeals were received during the statutory appeal period, and therefore the decision made on June 22, 2023, is final and binding.

Zoning By-law 1-88

- “C7 – Service Commercial Zone” and “EM1 – Prestige Employment Area Zone” by Zoning By-law 1-88, subject to site-specific Exceptions 9(1126), 9(1134) and 9(1137).
- These zones permit the Development.
- A Minor Variance Application (File A085/23 was approved to vary the definition of “lot” as it is defined by the Zoning Bylaw 1-88 to consider the Subject Lands in their entirety as one lot for the purposes of complying to the zoning. The Minor Variance Application was heard on July 13, 2023, and the Notice of Decision was provided on July 20, 2023. On August 3, 2023, the Final and Binding Notice was sent out advising that no appeals were received during the statutory appeal period, and therefore the decision made on June 22, 2023, is final and binding.

The Draft Plan of Condominium is consistent with the approved Draft Plan of Subdivision and Site Development Applications.

The Draft Plan of Subdivision Applications (Files 19T-89058 and 19T-99V07) were approved in 2001 by Vaughan Council and Site Development Applications (including Files DA.06.031, DA.12.021, DA.13.028, DA.16.043, DA.18.041, DA.18.080 and DA.19.028) were approved to permit the buildings, parking and driveway aisles for the Subject Lands. The Application as shown on Attachments 2 and 3 is required to create the common element tenure for private roads in order to facilitate 15 POTLs which provide for existing and future employment buildings and parking (at-grade and underground). The Application is consistent with the approved Draft Plan of Subdivision and Site Development Applications.

The Development and Parks Planning Department supports the Development, subject to conditions.

The Development and Parks Planning Department recommends approval of the Development as shown on Attachments 2 and 3, subject to conditions in Attachment 4.

Financial Impact

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

Operational Impact

Internal City Departments, external agencies and the various utility companies have no objection to the Application.

The Development Engineering Department, Development and Parks Planning Department, By-Law and Compliance, Licensing and Permit Services, Financial Planning and Development Finance Department, Alectra Utilities Corporation, Enbridge Gas Inc., and Bell Canada have no objections to the Application, subject to the Conditions of Approval in Attachment 4.

The Building Standards Department, Environmental Services - Waste Management Division, Policy Planning and Special Programs Department - Environmental Planning Division, Fire and Rescue Service - Fire Protection Division, Real Estate Department, Rogers Communications, York Region, Hydro One and Canada Post Corporation have no objections and no conditions for the Application.

Broader Regional Impacts/Considerations

The Application has been circulated to York Region for the purpose of receiving comments regarding matters of Regional interest i.e., roads and servicing infrastructure. The Subject Lands are located on Highway 7 and Highway 27, which are both under the jurisdiction of York Region.

York Region has no objection to the approval of the Application and no conditions.

Conclusion

The Development and Parks Planning Department is satisfied the Application is consistent with the PPS 2024, conforms to the 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 and Parks Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Approval in Attachment 4.

For more information, please contact Judy Jeffers, Planner, ext. 8645.

Attachments

1. Context and Location Map
2. Proposed Draft Plan of Condominium File 19CDM-24V006
3. Proposed Draft Plan of Condominium File 19CDM-24V006 – Underground Levels
4. Conditions of Draft Approval

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