

Committee of the Whole (1) Report

DATE: Tuesday, January 21, 2025

WARD: 4

TITLE: RP B3N HOLDINGS INC. – DRAFT PLAN OF CONDOMINIUM
(STANDARD)
FILE 19CDM-24V013
225 COMMERCE STREET
VICINITY OF HIGHWAY 7 AND COMMERCE STREET

FROM:

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

ACTION: DECISION

Purpose

To seek approval from Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-24V013 (the 'Application') to create the condominium tenure for a 59-storey residential tower (Tower A) consisting of 653 Residential Units, 211 Parking Space Units, six (6) Amenity Units and 9 Service Units, located in the Vaughan Metropolitan Centre, as shown on Attachment 2.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish a standard condominium tenure for a 59-storey residential tower.
- The Draft Plan of Condominium consists of the areas dedicated to residential units, amenity space, underground parking and locker units, and is consistent with the approved Site Development File DA.18.075.
- The Draft Plan of Condominium conforms to the Vaughan Official Plan 2010 and the Vaughan Metropolitan Centre Secondary Plan, and complies with Zoning By-law 1-88, as amended.
The VMC Program supports the proposed Draft Plan of Condominium (Standard) File 19CDM-24V013, subject to Conditions of Draft Approval in Attachment 1.

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-24V013 (RP B3N Holdings Inc.) BE DRAFT APPROVED, as shown on Attachments 4 to 13 to create a condominium tenure for the Development that is consistent with Site Development File DA.18.075, subject to Conditions of Draft Approval in Attachment 1; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-24V013 (RP B3N Holdings Inc.), subject to the Conditions of Draft Approval set out in Attachment 1, 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: 225 Commerce Street (the 'Subject Lands') is located south of Highway 7 and east of Commerce Street, and forms part of a larger mixed-use development known as Festival (the "Development Lands"). The Subject Lands and surrounding land uses are shown on Attachment 2.

Official Plan Amendment, Zoning By-law Amendment and Site Development Applications were approved for the greater Development Lands

On June 28, 2020, Vaughan Council approved Official Plan Amendment File OP.19.006, Zoning By-law Z.19.017 and Site Development File DA.18.075 to permit a mixed-use development consisting of four (4) residential apartment buildings in tower and podium configurations, 2,470 residential dwelling units and 6,000m² of commercial space, a central pedestrian mews and privately owned-publicly accessible open space ("POPS"). Vehicular access is achieved via one (1) right-in, right-out accesses located along Interchange Way (east property line), and two (2) full-move accesses along Celebration Avenue (south property line). The entire Development is currently under construction.

A Draft Plan of Condominium for Tower B on the Development Lands was submitted and approved by Council

On October 29, 2024, Council approved a Draft Plan of Condominium for Tower B which is adjacent to the subject application. The Draft Plan of Condominium for Tower B was to establish a standard condominium tenure for a 48-storey residential tower consisting of 672 residential units, 130 parking space units and 23 service units.

A Draft Plan of Condominium (Standard) Application has been submitted to create the proposed condominium tenure for Tower A

The proposed Draft Plan of Condominium File 19CDM-24V013 will create standard condominium tenure for Tower A, which is a 59-storey residential tower, as shown on Attachments 4 to 9. The Application includes the unitization of residential units, parking spaces, electrical/transformer rooms and amenity areas as outlined below:

- 653 Residential Units

- 211 Parking Space Units
- 6 Amenity Units
- 9 Service Units

Parking and bicycle spaces for the entire development will be provided on a site-wide basis, rather than an individual condominium corporation basis. These spaces will remain commonly accessible to all residents and visitors for the purposes of shared parking for the entirety of the Development and can be accessed various ramps and stairwells located throughout the Subject Lands (as shown on Attachments 11 to 13).

Previous Reports/Authority

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

[June 9, 2020, Committee of the Whole \(1\) \(Item 1, Report No. 22\)](#)

[November 5, 2019, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 35\)](#)

[October 8, 2024, Committee of the Whole \(1\) \(Item 7, Report No. 32\)](#)

Analysis and Options

The Application conforms to the Provincial Planning Statement 2024 ('PPS 2024')

The PPS 2024 is a policy statement issued pursuant to section 3 of the Planning Act and comes into effect on October 20, 2024. 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 Application establishes tenure for 653 new residential units which increases housing availability for current and future residents in the VMC. This application implements the tenure for this portion of the phased Festival Community, which delivers a compact urban form through the intensification of underutilized lands in the City's established VMC where full municipal services exist. The Development is proximal to higher-order transit and supports active and sustainable transportation modes through providing future tenants with a range of transportation options. The Development implements an approved density for new housing which efficiently uses the land, resources, infrastructure and public service facilities, and support the use of active transportation. Staff are satisfied that the Application is consistent with the PPS 2024.

The Application conforms to the 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 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 located within the “Urban Area” and designated as “Regional Centre” on YROP 2022 Map 1A – Land Use Designations. Regional Centres are intended to contain the highest concentration and the greatest mix of uses in the Region. The Subject Lands are also located within a “Protected Major Transit Station Area” (PMTSA) on YROP 2022 Map 1B – Urban Systems Overlay. PMTSA’s are intended to further support and implement the Regional intensification hierarchy consistent with determined minimum density targets.

The Application establishes the tenure for the Development that provides for a range of unit sizes and implements the planned development which utilizes land efficiently and optimizes infrastructure with a compact and transit-supportive built form. The Application conforms to the YROP 2022.

The Application conforms to Vaughan Official Plan 2010 (‘VOP 2010’), specifically the Vaughan Metropolitan Centre Secondary Plan (‘VMCSP’)

The VMCSP designates the Subject Lands as “Station Precinct”, which permits mid and high-rise built form and a broad mix of uses including a concentration of office, retail and residential uses around the subway station. This application establishes the tenure for the residential portion of Tower A within the overall Festival development, which is permitted by the VOP 2010 and the VMCSP. As such, the Application conforms to VOP 2010 and the VMCSP.

The Application complies with Zoning By-law 1-88 and is consistent with the approved site plan. The Application is subject to By-law 1-88 under the Transition Provisions “1.6.3.3 Other Approvals” of the new Comprehensive Zoning By-law (the ‘CZBL’)

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan CZBL. The new Vaughan CZBL includes a transition provision in Section 1.6.2.6 of Zoning By-law 001-2021 which indicates that Council decisions on development applications that were made prior to the passing of Zoning By-law 001-2021 are to be recognized. Therefore, since Zoning By-law Amendment for the subject lands was approved prior to this time, the Application has been recognized and evaluated in accordance with Zoning By-law 1-88. The Subject Lands are zoned C9, Corporate Centre Zone under By-law 1-88, subject to site-specific Exception 9(1500) as amended.

The Development is permitted within the existing zone, is consistent with the approved site plan as shown on Attachment 3, and complies with the requirements of Zoning By-law 1-88, as amended. As a Condition of Approval, the Owner must submit an “as-built” survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

Staff have no objection to the Application, subject to the Conditions identified in Attachment 1.

Financial Impact

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

Operational Impact

The Development Engineering Department (VMC Program) has no objection to the Application.

The Development Engineering Division of the VMC Program, Policy Planning and Special Programs Department has reviewed the Application and has no objection, subject to conditions identified in Attachment 1.

Financial Planning and Development Finance have no objection to the Application.

The Financial Planning and Development Finance Department has no objection to the Application, subject to the conditions of approval identified in Attachment 1.

The proposed garbage/recycling collection may be eligible for municipal waste collection services or shall be the responsibility of the Condominium Corporation.

Upon a successfully completed application, site inspection and executed agreement as determined by the City, the Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect is included in Attachment 1.

The following commenting agencies have advised they have no objections to the approval of the Application.

York Region, Bell Canada, Canada Post, and Alectra Utilities Corporation have no objections to the Applications, subject to the conditions identified in Attachment 1. Rogers Communications and Enbridge Gas Inc. have no objections to the Applications. 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 Attachment 1.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Applications, subject to their Conditions of Draft Approval identified in Attachment 1.

Conclusion

The VMC Program of the Policy Planning and Special Programs Department is satisfied the Application is consistent with the PPS 2024, YROP 2022, VOP 2010 and the VMCSP, and facilitates the envisioned tenure for the development of the Subject Lands in accordance with the approved Site Plan. Accordingly, the VMC Program can recommend approval of the Application, subject to the recommendations in this report and Conditions of Approval in Attachment 1.

For more information, please contact Nicholas Trajkovski, Planner, at extension 8530.

Attachments

1. Conditions of Draft Approval.
2. Context and Location Map.
3. Approved Site Plan (File DA.18.075).
4. Draft Plan of Condominium, Entire Site.
5. Draft Plan of Condominium, Ground Floor.
6. Draft Plan of Condominium, Residential Levels 2-4.
7. Draft Plan of Condominium, Residential Levels 5-14.
8. Draft Plan of Condominium, Residential Levels 15-29.
9. Draft Plan of Condominium, Residential Levels 30-45.
10. Draft Plan of Condominium, Residential Levels 46-58.
11. Draft Plan of Condominium, P1 Mezzanine Plan
12. Draft Plan of Condominium, P1 Service Units
13. Draft Plan of Condominium, P2 Parking and Locker Units

Prepared by

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