

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 19, 2019

Item 4, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 19, 2019.

**4. PACE DEVELOPMENTS MAPLE INC. DRAFT PLAN OF CONDOMINIUM
FILE 19CDM-19V005 VICINITY OF KEELE STREET AND BARRHILL
ROAD**

**The Committee of the Whole recommends approval of the
recommendation contained in the following report of the Deputy City
Manager, Planning and Growth Management, dated November 5, 2019:**

Recommendations

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-19V005 (Pace Developments Maple Inc.) BE APPROVED, as shown on Attachment 4, subject to the Conditions of Draft Approval in Attachment 1.

Committee of the Whole (1) Report

DATE: Tuesday, November 05, 2019

WARD: 1

**TITLE: PACE DEVELOPMENTS MAPLE INC.
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-19V005
VICINITY OF KEELE STREET AND BARRHILL ROAD**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole to create the condominium tenure for the common elements (Attachment 4) of an approved semi-detached and townhouse development shown on Attachment 3.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Common Elements) to establish the condominium tenure of privately owned and maintained (through a future Condominium Corporation) common elements for an approved semi-detached and townhouse development and the conversion of the existing heritage dwelling (William Bailey Residence) into a mixed-use building on the Subject Lands shown on Attachment 2.
- The Development Planning Department supports the approval of the Application as it conforms to the Official Plan, complies with Zoning By-law 1-88, as amended, and is consistent with the Council approved site plan.

Recommendations

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-19V005 (Pace Developments Maple Inc.) BE APPROVED, as shown on Attachment 4, subject to the Conditions of Draft Approval in Attachment 1.

Background

The subject lands (the 'Subject Lands') shown on Attachment 2 are located on the east side of Keele Street, south of Major Mackenzie Drive and are municipally known as 9869, 9873, 9877, 9881, 9885, 9887, 9889 and 9891 Keele Street and 1, 5, 9, 15, 19, 23, 27 and 31 Saint Julien Court. The surrounding land uses are shown on Attachment 2.

Previous Reports/Authority

[Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications Council Extracts](#)

Analysis and Options

The Owner has submitted Draft Plan of Condominium (Common Element) File 19CDM-19V005 (the 'Application') shown on Attachment 4, to create the condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, that consist of the following:

- Private access roads
- Sidewalks, walkways, community mailbox(es) and amenity area
- 10 visitor/commercial parking spaces
- Privacy fencing/retaining wall

These common elements will service eleven 3-storey townhouse units, four 3-storey semi-detached units and the reuse of the existing heritage dwelling (William Bailey Residence) with a ground floor commercial use and a second storey residential unit on the Subject Lands, as shown on Attachment 3.

The Application conforms to Vaughan Official Plan 2010 ('VOP 2010') and complies with Zoning By-law 1-88

The Subject Lands are designated "Low-Rise Mixed-Use" and "Low-Rise Residential" by VOP 2010, subject to the Site-Specific Policies of Section 13.40, Volume 2, which permits the semi-detached and townhouse development. The Draft Plan of Condominium shown on Attachment 4 conforms to VOP 2010.

The Subject Lands are zoned "RT1 Residential Townhouse Zone" by Zoning By-law 1-88, subject to site-specific Exception 9(1194), which permits the development shown on Attachment 3.

The proposed Draft Plan of Condominium (Common Elements), as shown on Attachment 4, would establish a condominium tenure for a development that complies with Zoning By-law 1-88, as amended. As a condition of draft 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.

The Draft Plan of Condominium is consistent with the approved Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications

Vaughan Council on December 11, 2017, approved Official Plan Amendment File OP.15.009, Zoning By-law Amendment File Z.15.037, Draft Plan of Subdivision File 19T-15V015 and Site Development File DA.15.090 (Empire Pace (Maple) Ltd.) to permit a development which consists of one block for residential uses that includes eleven 3-storey townhouse units, four 3-storey semi-detached units and the conversion of the existing heritage dwelling (William Bailey Residence) into a mixed-use building with commercial space on the ground floor and a residential dwelling unit on the second floor, as shown on Attachment 3.

The Draft Plan of Condominium (Common Elements) as shown on Attachment 4 is required to create the common element tenure for the following elements:

- Private access roads
- Sidewalks, walkways, community mailbox(es) and amenity area
- 10 visitor/commercial parking spaces
- Privacy fencing/retaining wall

Access to the Subject Lands is provided from Keele Street, which connects to the condominium private access road. The proposed Draft Plan of Condominium (Common Elements) is consistent with the approved site plan shown on Attachment 3. The Owner will be required to submit a Part Lot Control application to lift the part lot control provisions of the *Planning Act, R.S.O. 1990, c. P.13* from the Subject Lands, in order to create conveyable freehold lots for the 11 townhouse units and 4 semi-detached units.

Snow Removal, Garbage and Recycling Collection will be privately administered

Snow removal and garbage and recycling collection will be privately administered and the responsibility of the condominium corporation. The Owner is required to prepare a waste collection plan for the development to the satisfaction of the Environmental Services Department. A condition to this effect is included as a condition in Attachment 1.

All utility providers and Canada Post have no objection to the Application

Bell Canada, Rogers Communications, Alectra Utilities, Enbridge Gas and Canada Post have no objection to the Application. 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.

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Draft Plan of Condominium (Common Elements) Application, subject to their condition of approval included in Attachment 1.

Conclusion

The Draft Plan of Condominium (Common Elements) File 19CDM-19V005 conforms to the Official Plan, complies with Zoning By-law 1-88, as amended, and is consistent with the Council approved Site Development File DA.15.090. Accordingly, the Development Planning Department can support the approval of the Draft Plan of Condominium (Common Elements) Application, subject to the conditions set out in Attachment 1.

For more information, please contact: Margaret Holyday, Senior Planner, at extension 8216.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Site Development File DA.15.090 Approved by Vaughan Council on December 11, 2017
4. Draft Plan of Condominium (Common Elements)

Prepared by

Margaret Holyday, Senior Planner, extension 8216

Nancy Tuckett, Senior Manager, extension 8529

Mauro Peverini, Director of Development Planning, extension 8407

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS)
FILE 19CDM-19V005 ('PLAN')
PACE DEVELOPMENTS MAPLE INC. ('OWNER')
BLOCK 1 ON 65M-4623, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-19V005, ARE AS FOLLOWS:

City of Vaughan

1. The Plan shall relate to a Draft Plan of Condominium, prepared by R. Avis Surveying Inc., drawing File No. 2757-7DP1, dated May 1, 2019.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a preregistered Plan of Condominium to the Development Planning Department.
3. The Owner shall enter into a Condominium Agreement with the City of Vaughan and shall agree to satisfy any conditions that the City of Vaughan may consider necessary.
4. The following provisions shall be included in the Condominium Agreement:
 - a) The Owner and/or Condominium Corporation shall be responsible to regularly clean and maintain all driveway and rear-lot catch basins;
 - b) The Owner and/or Condominium Corporation shall be responsible for private garbage and recycling collection, snow removal and clearing;
 - c) The Owner and/or Condominium Corporation shall include the following clauses in the Condominium Declaration:
 - i) A clause, to the satisfaction of the Development Engineering Department, advising purchasers/tenants/lessees that the Servicing Plan includes foundation drainage for each townhouse unit to be

discharged via a sump pump installed in a sump pit below the basement level;

- ii) A clause advising purchasers/tenants/lessees that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound levels may exceed the Ministry of the Environment, Conservation and Parks ('MECP') noise criteria levels.
 - iii) The Owner shall identify the required Parts 13, 15 and 16 for servicing infrastructure considered to be common elements and/or for the exclusive use of the Condominium Corporation on the related Draft Plan of Condominium prior to the execution of the Condominium Agreement, and within the Condominium Declaration prior to the registration of the final Plan of Condominium, to the satisfaction of the City.
 - iv) A clause advising Purchasers/Tenants/Lessees for Parts 13, 15 and 16 on the Draft Plan of Condominium advising that subsurface infrastructure will be constructed on the (future) Parcels of Tied Land ("POTLs") pursuant to the Site Plan Agreement (File DA.15.090) and schedules thereto registered as instrument YR2910825 on December 17, 2018. The Condominium Declaration shall require the Condominium Corporation to maintain and manage the subsurface infrastructure and reserve a right of entry for the Condominium Corporation onto those POTLs to carry out such obligations.
- d) The Owner and/or Condominium Corporation shall supply, install and maintain mail equipment to the satisfaction of Canada Post.
- 5. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
 - 6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
 - 7. Prior to final approval, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.

8. Prior to final approval, the Owner shall confirm to the Development Planning Department that they have paid all outstanding taxes, development charges and levies, as may be required by the Financial Planning and Development Finance Department.

Canada Post

9. Prior to final approval, the Owner shall satisfy the following conditions of Canada Post:
 - a) The Owner 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;
 - b) The Owner 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;
 - c) The Owner will install concrete pads at each of the Community Mailbox locations and any required walkways across the boulevard and any required curb depressions for wheelchair access as required by Canada Post's concrete pad specification drawings;
 - d) The Owner 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;
 - e) The Owner will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy; and
 - f) The Owner of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance

at the Community Mailbox locations.

Bell Canada

10. The Owner shall indicate in the Condominium Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

York Region

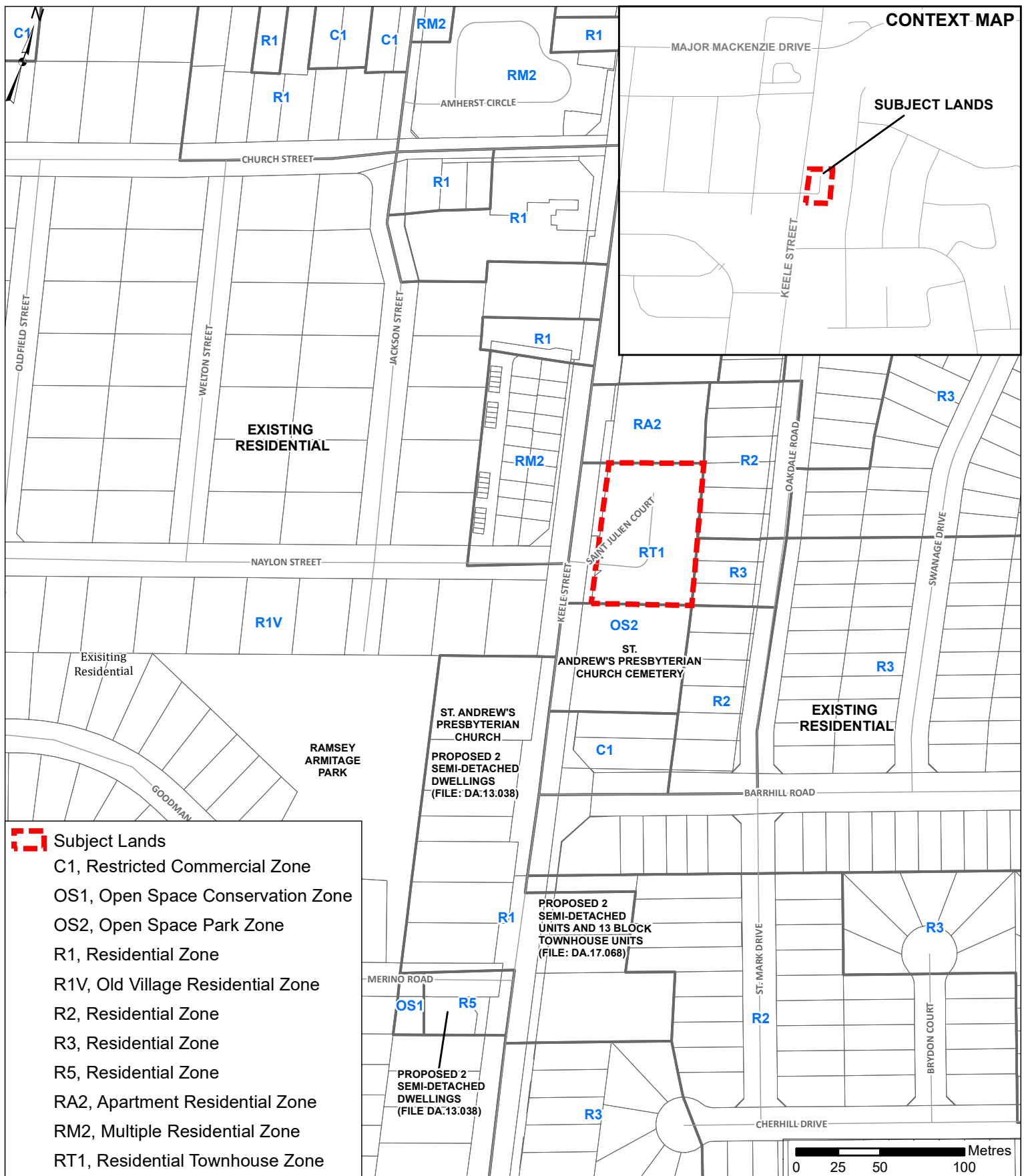
York Region has no objection to draft plan approval of the Plan of Condominium subject to the following conditions:

11. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued for the Subject lands on July 27, 2018, under Regional File No. SP.16.V.0229, have been satisfied.
12. 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 Subject Lands issued on July 27, 2018, under Regional File No. SP.16.V.0229.
13. 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 York Region or that York 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.
14. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligations have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

Clearances

15. The City of Vaughan Development Planning Department shall advise that Conditions 1 to 8 have been satisfied.

16. Canada Post shall advise the Development Planning Department in writing that Condition 9 has been satisfied.
17. Bell Canada shall advise the Development Planning Department in writing that Condition 10 has been satisfied.
18. York Region shall advise the Development Planning Department in writing that Conditions 11 to 14 have been satisfied.



Location Map

LOCATION:
Part of Lot 19 & 20, Concession 3

APPLICANT:
Pace Developments Maple Inc.



Attachment

FILE:
19CDM-19V005

RELATED FILE:
DA.15.090

DATE:
November 5, 2019

2



Site Development File DA.15.090 Approved by Vaughan Council on December 11, 2017

LOCATION:
Part of Lot 19 & 20, Concession 3

APPLICANT:
Pace Developments Maple Inc.



Development Planning

