

VAUGHAN Staff Report Summary

Item # 5

Ward #4

036/19

Applicant: 627150 Ontario Inc., The Hollywood

Princess Convention and Banquet Centre

Ltd.

2800 Hwy 7, Vaughan Address:

Royal 7 Developments Ltd. Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	√×
Committee of Adjustment	$\overline{\mathbf{V}}$	$\overline{\checkmark}$
Building Standards	$\overline{\mathbf{V}}$	$\overline{\mathbf{V}}$
Development Planning	$\overline{\mathbf{V}}$	$\overline{\checkmark}$
Cultural Heritage (Urban Design)	$\overline{\mathbf{V}}$	
Development Engineering	$\overline{\checkmark}$	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	$\overline{\mathbf{V}}$	V
Real Estate Department	$\overline{\mathbf{V}}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)		

Adjournment History: January 16, 2020
Background History: None

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, February 6, 2020



Consent Application

Agenda Item: 5

B036/19

Ward: 4

Prepared By: Adriana MacPherson Assistant Secretary Treasurer

Date of Hearing: Thursday, February 6, 2020

Applicant: 627150 Ontario Inc., The Hollywood Princess Convention and Banquet

Centre Ltd.

Agent: Royal 7 Developments Ltd.

Property: 2800 Hwy 7, Vaughan

Zoning: The subject lands are zoned C7 9(429) and subject to the provisions of

Exception under By-law 1-88 as amended

OP Designation: Vaughan Official Plan 2010: (Vaughan Metropolitan Centre Secondary Plan

Volume 2: West and East Employment Precincts)

Related Files: B003/20, A162/19, A163/19

Purpose: Consent is being requested for an easement over Part 1 on the draft

reference plan submitted with the application (servient land) for access (vehicular) and construction/maintenance (of road) purposes in favour of the lands to the west, being Part 2 & 3 on the draft plan submitted with the

application (dominant land).

The proposed easement is to provide for vehicular access and to allow for construction and maintenance of a private road (Street B) located adjacent to

the EXPO City Development and the Rivera Event Space.

Background (Previous Applications approved by the Committee on the subject land: N/A

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. To search for a file number, enter it using quotes around it. For example, "B001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History:

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
January 16, 2020	None	Adjourn to Feb 6/2020	To permit time for the applicant to address sightline (fence) concerns with Development Planning comments.

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on January 22, 2020

Applicant confirmed posting of signage on January 23, 2020

Existing Building or Structures on the subject land: No structures on subject land. Underground Parking on subject land.

Recommended conditions of approval:

1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.

- 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
- 3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

Building Department Staff have no additional comments in respect to this application.

Development Planning:

Vaughan Official Plan 2010: (Vaughan Metropolitan Centre Secondary Plan Volume 2: West and East Employment Precincts).

The Owner is requesting permission to facilitate an access easement in favour of the lands to the west.

The proposed easement will provide vehicular access for the lands to the west to facilitation the construction and maintenance of a private road (Street B) associated with the EXPO City Development. Subdivision Agreement 19T-00V21 and Development File DA 16.111 identifies the requirement for Royal 7 Developments LTD. is required to construct "Street B". The current ownership model is 50% for Royal 7 LTD and 50% for Hollywood Princess Convention and Banquet Center. The proposed consent will provide access for Royal 7 LTD. located at 2908 Highway 7 from Hollywood Princess Convention and Banquet Center located at 2800 Highway 7 on Part 1 on the associated Reference Plan (Plan 65M-4490 Part of Block 18 and Part of Lot 6, Concession 4).

The Development Planning Department has no objection to the proposed access easement as it facilitates the development of the proposed Site Development Application DA.16.111 and is of the opinion that the requested access easement maintains the intent of VOP 2010 and the consent criteria stipulated in Section 51(24) of the Planning Act. R.S.O. 1990, c. P.13.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the consent application, subject to the following conditions:

- 1. The Owner shall enter into an agreement with the Condominium Corporation in relation to the EXPO Tower 1,2,3,4 and 5 to ensure access is provided to the satisfaction of the Development Planning Department.
- 2. The Owner of the land shall make an Application to Annex Restrictive Covenants S118 of the Land Titles Act for the registration of a restriction that no Transfer or Charge of the lands described as Block 14 and Part of Block 15, Plan 65M-4330 (collectively, the "Restricted Lands") shall be registered unless such Transfer or Charge includes all of the Restricted Lands, and if such Transfer or Charge is registered against title to part of the Restricted Lands then the written consent from the Corporation of the City of Vaughan is required, which consent may be arbitrarily withheld.

Cultural Heritage (Urban Design):

No Response

Development Engineering:

The Development Engineering (DE) Department does not object to the consent application B036/19.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges Bylaws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Recommended conditions of approval:

The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

Fire Department:

No Response.

Schedule A - Plans & Sketches

Schedule B - Public Correspondence

Application Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigeault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca	 That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Building Standards Gregory Seganfreddo 905-832-8585 x 8245 gregory.seganfreddo@vaughan.ca	Easements and/or Rights-of-ways over the adjacent lands are registered on title to permit access to the retained lands for construction purposes.

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	Department/Agency	Condition
3	Development Planning Michael Di Febo 905-832-8585 x 8990 michael.difebo@vaughan.ca	 The Owner shall enter into an agreement with the Condominium Corporation in relation to the EXPO Tower 1,2,3,4 and 5 to ensure access is provided to the satisfaction of the Development Planning Department. The Owner of the land shall make an Application to Annex Restrictive Covenants S118 of the Land Titles Act for the
		registration of a restriction that no Transfer or Charge of the lands described as Block 14 and Part of Block 15, Plan 65M-4330 (collectively, the "Restricted Lands") shall be registered unless such Transfer or Charge includes all of the Restricted Lands, and if such Transfer or Charge is registered against title to part of the Restricted Lands then the written consent from the Corporation of the City of Vaughan is required, which consent may be arbitrarily withheld.
4	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

Warning:

Conditions must be fulfilled within <u>one year</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

For more information please contact the City of Vaughan, Committee of Adjustment Adriana MacPherson

T 905 832 8585 Extension 8360 E CofA@vaughan.ca

Schedule A: Plans & Sketches

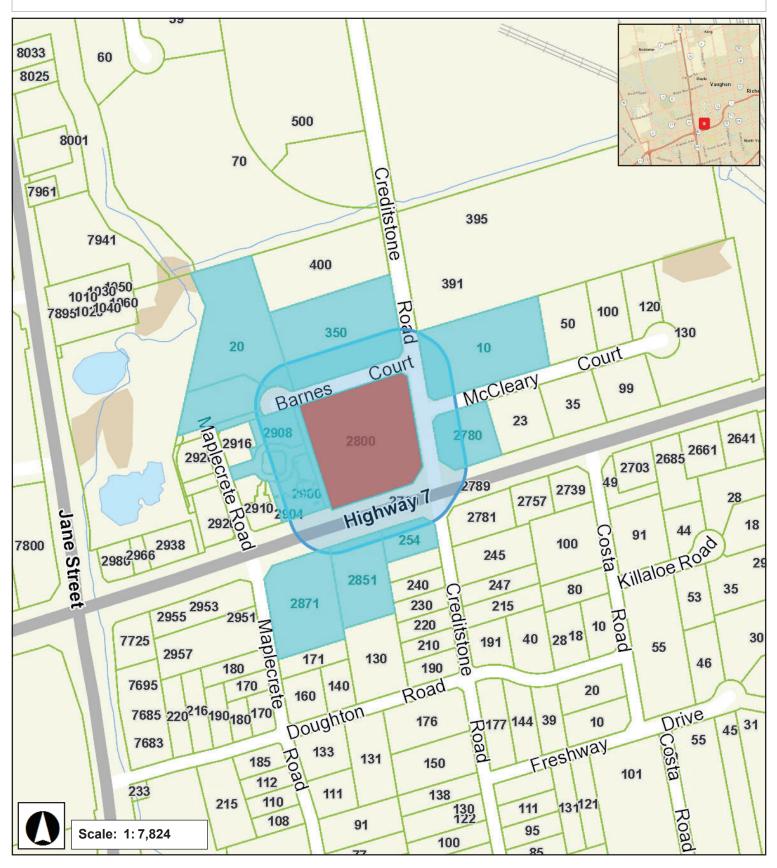
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

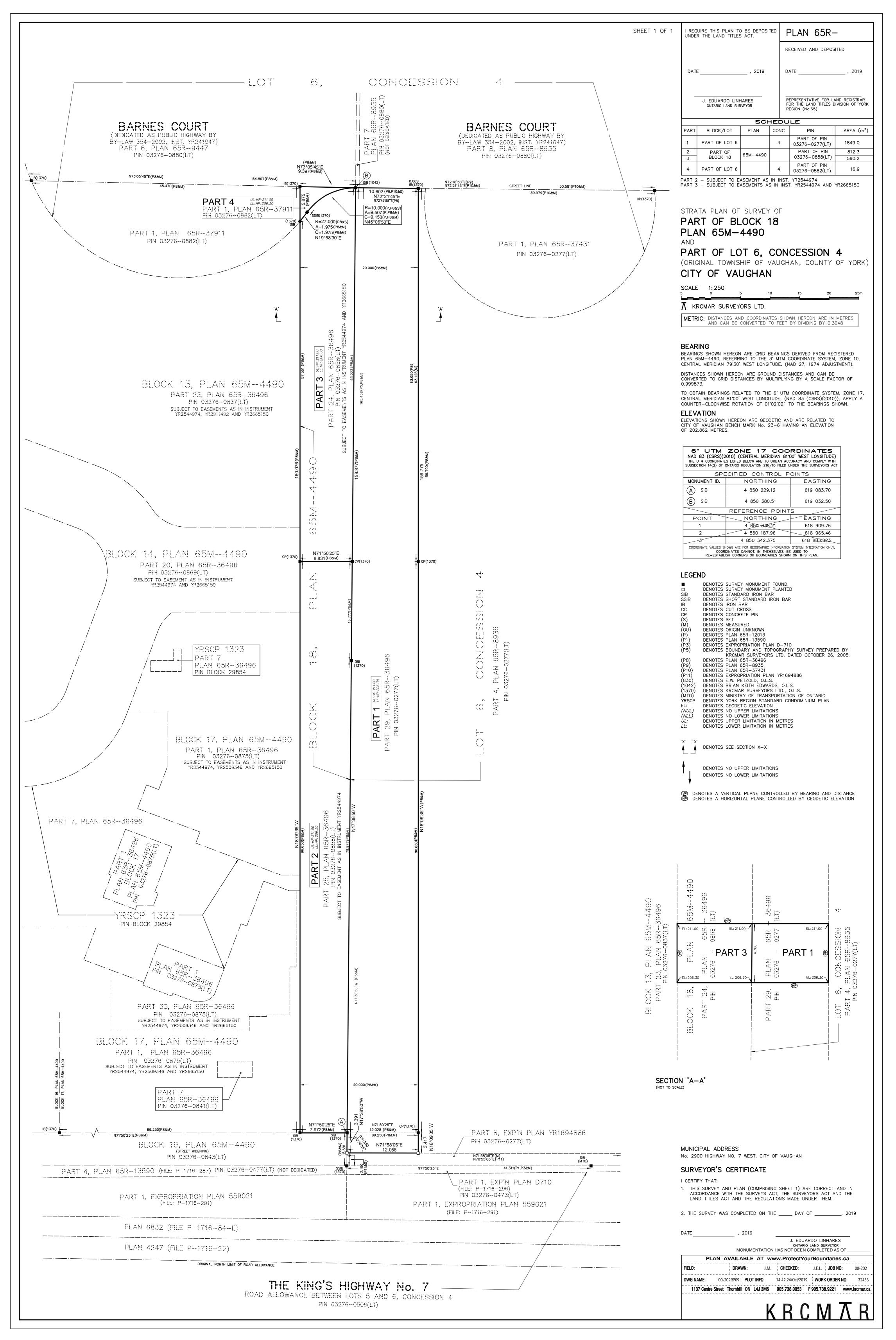
Sketches Maps

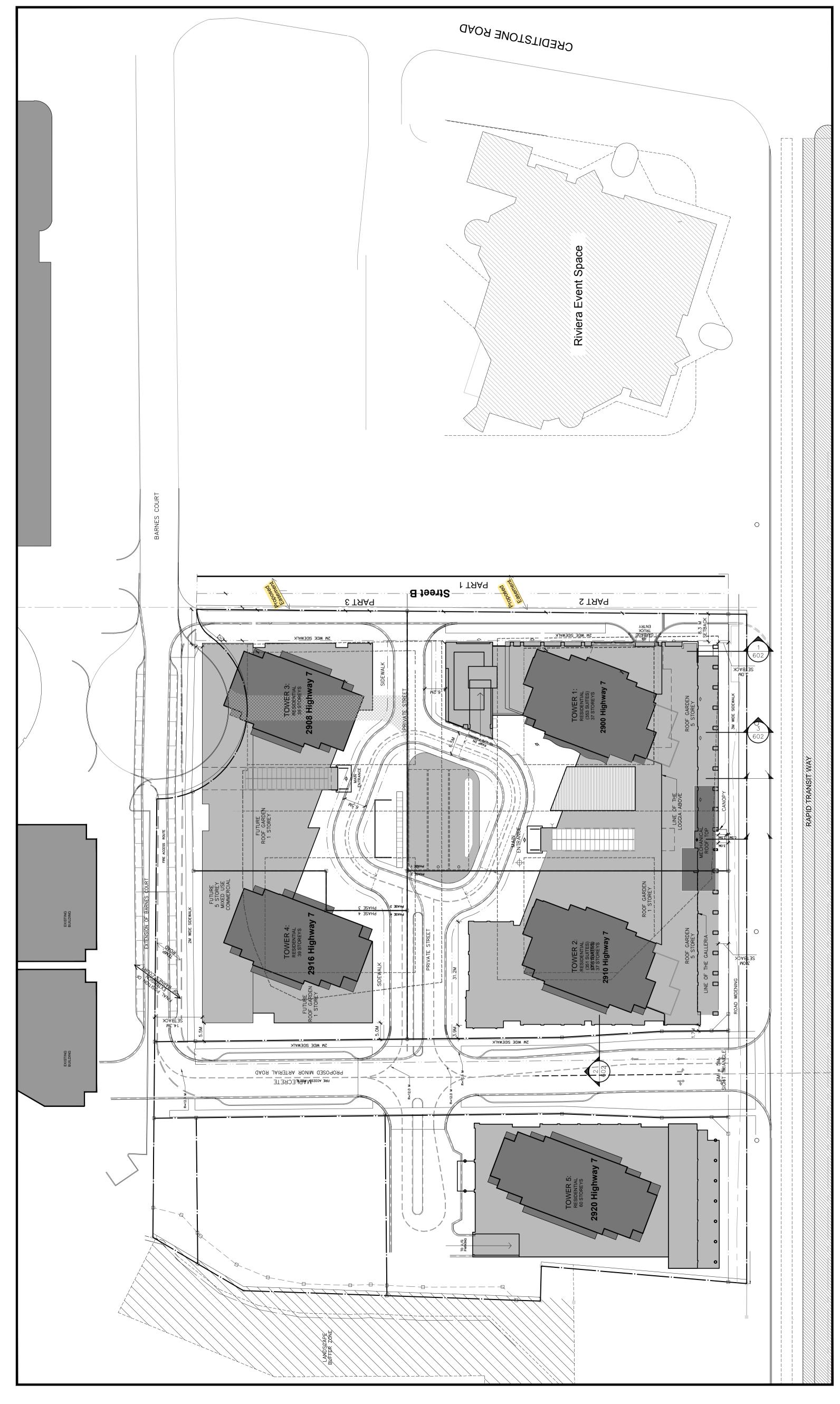


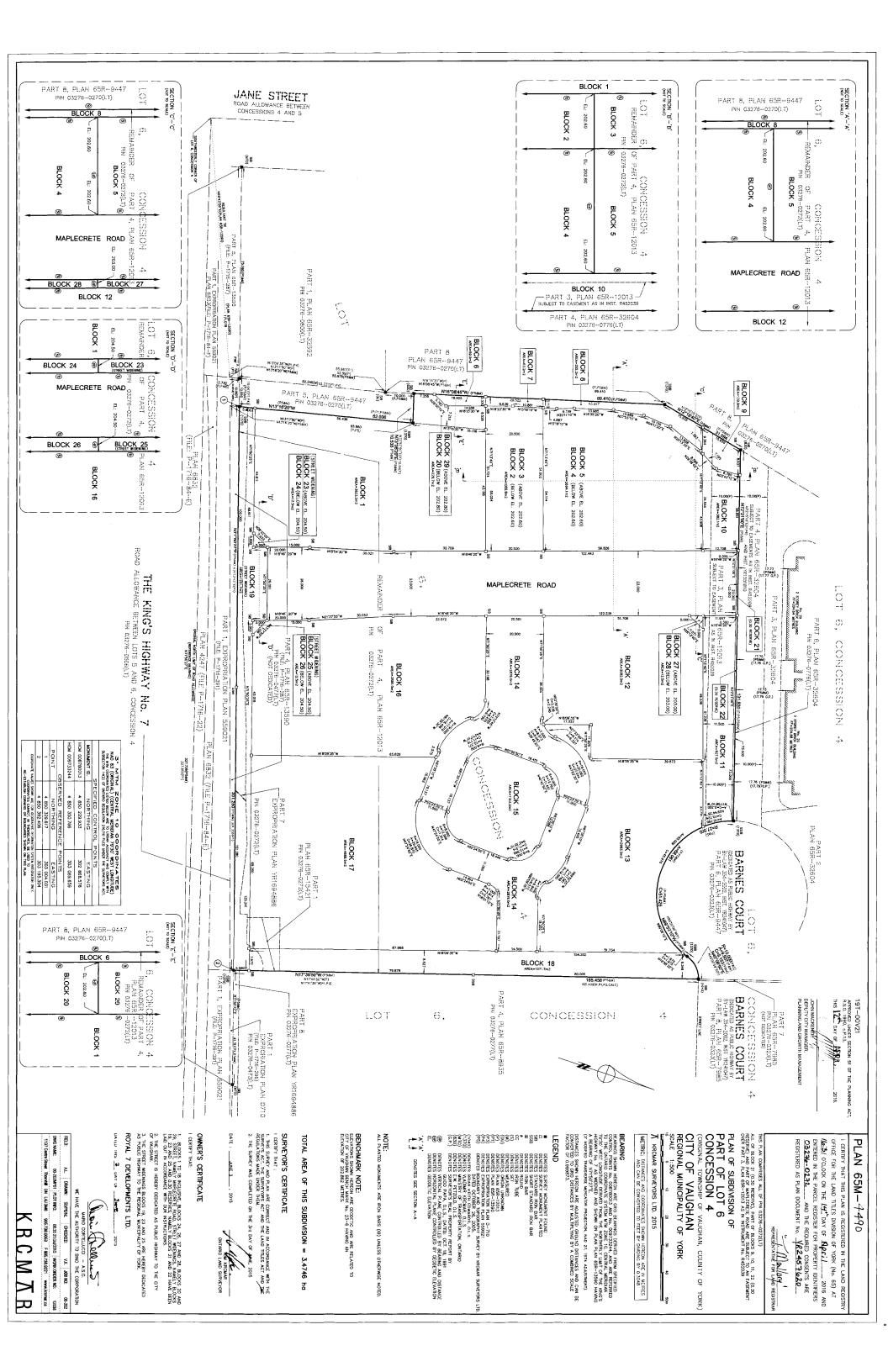
B036/19 - Notification Map

2800 Highway 7 West, Vaughan









Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Application Cover Letter

HOLLYWOOD PRINCESS CONVENTION AND BANQUET CENTER LTD

B036/19

November 11, 2019

2800 Hwy 7 W. Suite 301 Vaughan ON L4K

Received

November 15, 2019

Committee of Adjustment City of Vaughan Vaughan City Hall, Level 100 2141 Major Mackenzie Dr. Vaughan, ON L6A 1T1

Dear Members of the Committee:

Re: Consent Application - Easement

2800 Highway 7 West, City of Vaughan

Hollywood Princess Convention and Banquet Center

Introduction and Background

Expo City development is distinct within the Vaughan Metropolitan Centre, being the first to provide for intensification and compact development to support the now open TTC Subway Station. This was made possible by way of a 2008 Ontario Municipal Board decision, which approved give high-rise residential towers on the subject site (Files Z.06.051 and 19T-00V21). This approval has specifically been recognized within the 2010 Vaughan Official Plan and VMC Secondary Plan, distinguishing this site from others within the VMC.

The proposed easement is to provide for vehicular access and to allow for construction and maintenance of a private road (Street B) located adjacent to the EXPO City Development and the Rivera Event Space. As a result of Subdivision Agreement 19T-00V21 and EXPO Tower 3+4 Site Plan agreement DA 16.111, Royal 7 Developments Ltd is required to construct Street B to its ultimate configuration. Currently the ownership of Street B is 50% Royal 7 Development Ltd and 50% Hollywood Princess Convention and Banquet Center Ltd.

Requested Easement

The purpose of the easement is to provide Royal 7 Developments Ltd the ability to provide access for vehicular and pedestrian traffic and allow for the construction and maintenance over part 1 of the attached reference plan.

Enclosures

In support of the application, please find the following additional documents:

- **Consent Application form**
- Reference Plan showing easement lands (Parts 1,2 +3)
- M-Plan 65M-4490 showing lands owned by Royal 7 Developments Itd
- Sketch showing all lands (EXPO City Developments and Riviera Event Space)

Yours very truly,

Hollywood Princess Convention and Banquet Center Ltd.

Nicole Sgrignuoli, BURPI

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra - No comments, no concerns York Region - No comments, no concerns



COMMENTS:

	We have reviewed the proposed Consent Application and have no comments or objections to its approval.
X	We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
	We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T Supervisor, Distribution Design, ICI **Phone**: 1-877-963-6900 ext. 31297

Fax: 905-532-4401

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services **Phone**: 1-877-963-6900 ext. 24419

Fax: 905-532-4401

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: B036/19 Consent for Easement

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: November-29-19 3:30 PM

To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>;

Providence, Lenore < Lenore. Providence@vaughan.ca>

Subject: RE: B036/19 Consent for Easement

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above consent application and has no comment. Regards,

Gabrielle

Gabrielle Hurst | MCIP, RPP, C.Tech, Planning and Economic Development, Corporate Services

1-877-464-9675 ext. 71538

Our Mission: Working together to serve our thriving communities - today and tomorrow