

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 29, 2020**

Item 9, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 29, 2020.

**9. DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-20V003  
CHELSEA MAPLE RESIDENCES (PHASE II) INC. 100 AND 110 EAGLE  
ROCK WAY VICINITY OF EAGLE ROCK WAY AND TROON AVENUE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Acting Deputy City Manager, Planning and Growth Management, dated June 16, 2020:**

**Recommendation**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-20V003 (Chelsea Maple Residences (Phase II) Inc.) BE APPROVED, as shown on Attachments 4 to 7, subject to the Conditions of Draft Approval set out in Attachment 1.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, June 16, 2020

**WARD(S):** 4

**TITLE: DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-20V003  
CHELSEA MAPLE RESIDENCES (PHASE II) INC.  
100 AND 110 EAGLE ROCK WAY  
VICINITY OF EAGLE ROCK WAY AND TROON AVENUE**

**FROM:**

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-20V003 for the subject lands shown on Attachments 2 and 3. The Owner is proposing to create the condominium tenure for the residential portion of the 10 to 12-storey mixed-use apartment building currently under construction, as shown on Attachments 4 to 7.

**Report Highlights**

- The Owner is proposing to create the condominium tenure for the residential portion of the mixed-use apartment building currently under construction
- The Draft Plan of Condominium (Standard) consists of the areas dedicated to the residential units, amenity area, underground parking and locker units
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010, Zoning By-law 1-88 and the Council approved Site Development File DA.17.086 (York Major Holdings Inc.)

## **Recommendation**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-20V003 (Chelsea Maple Residences (Phase II) Inc.) BE APPROVED, as shown on Attachments 4 to 7, subject to the Conditions of Draft Approval set out in Attachment 1.

## **Background**

The subject lands (the 'Subject Lands') shown on Attachment 2 are municipally known as 100 and 110 Eagle Rock Way and are located on the north side of Eagle Rock Way, west of McNaughton Road East. The surrounding land uses are shown on Attachment 2.

Council on June 19, 2018, approved Site Development File DA.17.086 for the apartment building on the Subject Lands (Attachment 3). The Draft Plan of Condominium is consistent with the approved site plan, as shown on Attachments 4 to 7.

## **Previous Reports/Authority**

The Committee of the Whole report for related Site Development File DA.17.086 can be found at the following link:

[June 5, 2018 Committee of the Whole Report DA.17.086](#)

## **Analysis and Options**

Chelsea Maple Residences (Phase II) Inc. (the 'Owner') has submitted Draft Plan of Condominium (Standard) File 19CDM-20V003 (the 'Application') to create the residential condominium tenure, as shown on Attachments 4 to 7, for a 10 to 12-storey mixed-use apartment building currently under construction (the 'Development'), as shown on Attachment 3. The apartment building also includes 692 m<sup>2</sup> of ground floor retail and office space not forming part of the future condominium and does not form part of this Application. The Draft Plan of Condominium (Standard) consists of the residential portion of the building including the following:

- 312 residential units
- 312 combined long-term bicycle parking and residential lockers, plus 66 short-term bicycle spaces
- 312 parking spaces for the residential units (plus 47 visitor spaces) within a 3-level parking garage
- the amenity areas for the Development (e.g. landscaped areas and bicycle storage spaces)

***The Draft Plan of Condominium is Consistent and Conforms to Provincial, Region of York and City Official Plan Policies***

The Provincial Policy Statement, 2020 ('PPS') and the Growth Plan for the Greater Golden Horseshoe, 2017 (the 'Growth Plan') provide policy direction for orderly land use planning and development of lands in Ontario. The Subject Lands are within the "Settlement Area" designation of the Oak Ridges Moraine Conservation Plan ('ORMCP') and "Urban Area" of the York Region Official Plan 2010 ('YROP') and are designated "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010 ('VOP 2010').

The Development makes an efficient use of the Subject Lands at a transit-supportive density in the vicinity of the Maple GO station and provides a housing form (apartment units) in the community consistent with and conforming to Provincial policies. The Development is permitted by the YROP and VOP 2010, complies with Zoning by-law 1-88 and is consistent with the Council approved Site Plan. The Draft Plan of Condominium would create the ownership tenure for the Development.

***The Draft Plan of Condominium would create the condominium tenure of an approved Development and conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 1-88***

The Subject Lands are designated "Mid-Rise Mixed-Use" by the Maple GO Station Secondary Plan ('MGSSP'), being part of Volume 2 (Section 11.6) of Vaughan Official Plan 2010 ('VOP 2010'). The MGSSP includes Urban Design and Built Form policies addressed through Site Development File DA.17.086.

The MGSSP permits a maximum building height of 12-storeys on the Subject Lands, and an overall total maximum gross floor area ('GFA') of 122,398.5m<sup>2</sup> dedicated to residential uses. The Development consists of 25,802.6 m<sup>2</sup> of residential GFA. When combined with other development in the MGSSP area, the total residential GFA is 92,094.59 m<sup>2</sup>. The Development conforms to VOP 2010.

The Subject Lands are zoned RA3 Apartment Residential Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1407). The Development is permitted on the Subject Lands and complies with all requirements of Zoning By-law 1-88.

***The Draft Plan of Condominium is consistent with Council approved Site Development File DA.17.086***

Vaughan Council on June 19, 2018, approved Site Development File DA.17.086, to permit the Development consisting of a 10 to 12-storey mixed-use apartment building with 312 residential units, 692 m<sup>2</sup> of commercial uses, as well as 359 parking spaces (including 47 visitor spaces), with 312 long term and 66 short term bicycle lockers all

located in a three level underground parking garage , as shown on Attachment 3. As noted above, the Draft Plan of Condominium will create the condominium tenure for only the residential portion of the Development.

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. A condition to this effect is included in Attachment 1.

***The Parks Planning Department has no objection to the Draft Plan of Condominium, subject to their Conditions of Draft Approval***

The Owner is required to register an easement for a privately owned public space ('POPS') to facilitate a pedestrian linkage from Salterton Circle to Eagle Rock Way, to permit its use by the City and the general public. The requirement to provide the easement shall be included in the Condominium Agreement, Condominium Declaration, Articles of Incorporation and all Agreements of Purchase and Sale and/or Lease for the Subject Lands regarding the linkage, without disturbance in perpetuity. The maintenance and operations of the POPS easement shall be the responsibility of the Owner/ future Condominium Corporation.

The Owner/future Condominium Corporation will be responsible for all required maintenance works and associated capital improvements for the public pedestrian linkage, including but not limited to, the site furnishings, pedestrian lighting, hardscape and associated landscaping works. The Owner is to preform regular maintenance to ensure the pedestrian path of travel is accessible and safe for public use to the satisfaction of the City.

The Owner shall secure public access over the pedestrian linkage from Salterton Circle to Eagle Rock Way through a POPS easement, to the satisfaction of the City. A condition to this effect is included in Attachment 1.

***The Environmental Services Department has no objection to the Draft Plan of Condominium. The garbage/recycling collection may be eligible for municipal waste collection services and snow removal will be privately administered***

The Development includes a three-stream waste disposal system, the Owner has indicated that the Development will be serviced by private garbage/ recycling collection. However, upon a successfully completed application, site inspection and an executed Agreement as determined by the City and to the satisfaction of the Environmental Services Department, 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.

All snow removal for the Development will be privately administered and the responsibility of the Condominium Corporation.

***The Financial Planning and Development Finance Department have no objection to the Draft Plan of Condominium, subject to their Conditions of Draft Approval***

The Financial Planning and Development Finance Department advise the Owner shall confirm to the Development Planning Department and the Office of the City Clerk that all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this Development have been paid. The Owner shall also certify acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Agreement, if required, until each unit covered under the Condominium Agreement is separately assessed. A condition to this effect is included in Attachment 1.

***The various utilities have no objection to the Draft Plan of Condominium, subject to their Conditions of Draft Approval***

Canada Post, Enbridge Gas and Alectra Utilities Corporation have no objection to the approval of Draft Plan of Condominium (Standard) File 19CDM-20V003, subject to their Conditions of Draft Approval identified in Attachment 1.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region has no objection to the approval of this Application.

**Conclusion**

Draft Plan of Condominium (Standard) File 19CDM-20V003 has been reviewed in consideration of the policies of the PPS, the Growth Plan, and the York Region and Vaughan Official Plan 2010. The Draft Plan of Condominium (Standard) would create the tenure for the residential portion of an approved apartment building currently under construction. The apartment building is consistent with and conforms to Provincial policies, conforms with York Region and City of Vaughan Official Plan policies, complies with Zoning By-law 1-88, and is consistent with approved Site Development File DA.17.086. Accordingly, the Development Planning Department can support the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment 1.

**For more information**, please contact: Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216.

### **Attachments**

1. Conditions of Draft Approval
2. Context and Location Map
3. Approved Site Plan (File DA.17.086)
4. Draft Plan of Condominium (Standard) Level 1 (Lower Floor)
5. Draft Plan of Condominium (Standard) Levels 1 (Upper Floor) to 7
6. Draft Plan of Condominium (Standard) Levels 8-12
7. Draft Plan of Condominium (Standard) Underground Parking Levels A, B and C

### **Prepared by**

Margaret Holyday, Senior Planner, ext. 8216

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

**ATTACHMENT 1**  
**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-20V003  
CHELSEA MAPLE RESIDENCES (PHASE II) INC. (THE "OWNER")  
PART OF BLOCK 35 ON 65M-4477, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE "CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-20V003 (THE "PLAN"), ARE AS FOLLOWS:**

**City of Vaughan Conditions**

1. The Plan shall relate to a Draft Plan of Condominium (Standard), prepared by R-PE Surveying Ltd., CAD File No. 18177DR-1b, dated February 14, 2020.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department.
3. The following provisions shall be included in the Condominium Agreement:
  - a) the Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
  - b) snow removal and clearing shall be the responsibility of the Condominium Corporation; and
  - c) upon a successfully completed application, a site inspection, and the execution and registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division 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.
4. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
5. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
6. 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.



7. Prior to final approval, the Owner shall confirm to the Vaughan Development Planning Department that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required by the Vaughan Financial Planning and Development Finance Department. The Owner also certifies acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of this Agreement, if required, until each unit covered under this Condominium Agreement is separately assessed.
8. The Owner shall provide the City with a privately owned publicly space ('POPS') easement over the pedestrian linkage from Salterton Circle to Eagle Rock Way, to the satisfaction of the City.
9. The Condominium Agreement, Condominium Declaration and all Agreements of Purchase and Sale and/or Lease shall include the following warning clauses:
  - a) Noise
    - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within the Maple GO Station Secondary Plan area and within the dwelling units, sound from increasing road and rail traffic may continue to be of concern and may occasionally interfere with some activities of the dwelling occupants, as the outdoor traffic sound levels may exceed the noise criteria of the municipality and the Ministry of Environment and Climate Change ("MOECC")."
    - "This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the Ministry of the Environment and Climate Change ("MOECC")."
    - "This dwelling unit has been fitted with a forced air heating system and the ducting etc., was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of the Environment, Conservation and Parks ("MOECP"). (Note: The location an installation of the outdoor air conditioning device should minimize the noise impacts from the unit and comply with the criteria of MOECC publication NPC-216, Residential Air Conditioning Devices)."
    - "Purchasers/tenants are advised that due to the proximity of the adjacent commercial facilities, noise from the commercial facilities may at times be audible."

b) Public Pedestrian Linkage

- “Purchasers and/or tenants are to be advised the public pedestrian linkage shall be free and uninterrupted and unobstructed right in perpetuity as described on a future deposited reference plan.”
- “The Owner/ Condominium Corporation shall agree not to build or cause to be built any building, fence or other obstruction over the public pedestrian linkage.”
- “The Owner shall agree to carry out any construction, maintenance or repairs of the public pedestrian access or related structures/ appurtenances, or use of the access area in a good safe, accessible and workmanlike manner in accordance with City of Vaughan Standards and By-laws and shall remove all debris with respect to any such construction, repair and/or maintenance of the public access or related structures / appurtenances and shall complete same as soon as and as quickly as reasonably practicable.”
- “The Owner shall fully indemnify and save harmless the City in respect to any and all claims for damages, injury, or loss of any nature caused to any person or property resulting in any way either directly or indirectly from using the public pedestrian linkage or related works caused by the negligence of its own agents or employees to the property.”

c) Canadian National Railway

- “Purchasers and/or tenants are to be advised that Canadian National Railway or its successors or assigns, have an operating right-of-way within 300 m from the land subject hereof and there may be alterations to the right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from use of its facilities and/or operations.”
- “Purchasers and/or tenants are to be advised that the lot abuts a GO Transit parking lot including noise and lighting and may be of concern due to the nature of the parking lot operation.”
- “Purchasers and/or tenants are advised that the cul-de-sac at the west terminus of Eagle Rock Way may be reconstructed in the future to facilitate the on-street bus loop without further notice.”

- “Purchasers and/or tenants are advised that GO Transit is proposing a future structured parking lot expansion which noise and lighting may be of concern due to the nature of the parking lot operation.”

d) Metrolinx

GO Transit requires that all development agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease or in the Articles of Incorporation of the Condominium Declaration of each dwelling unit within 300 m of the railway right-of-way contain the following clauses:

- “Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the Owners of lands within 300m from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands.”

### **Canada Post**

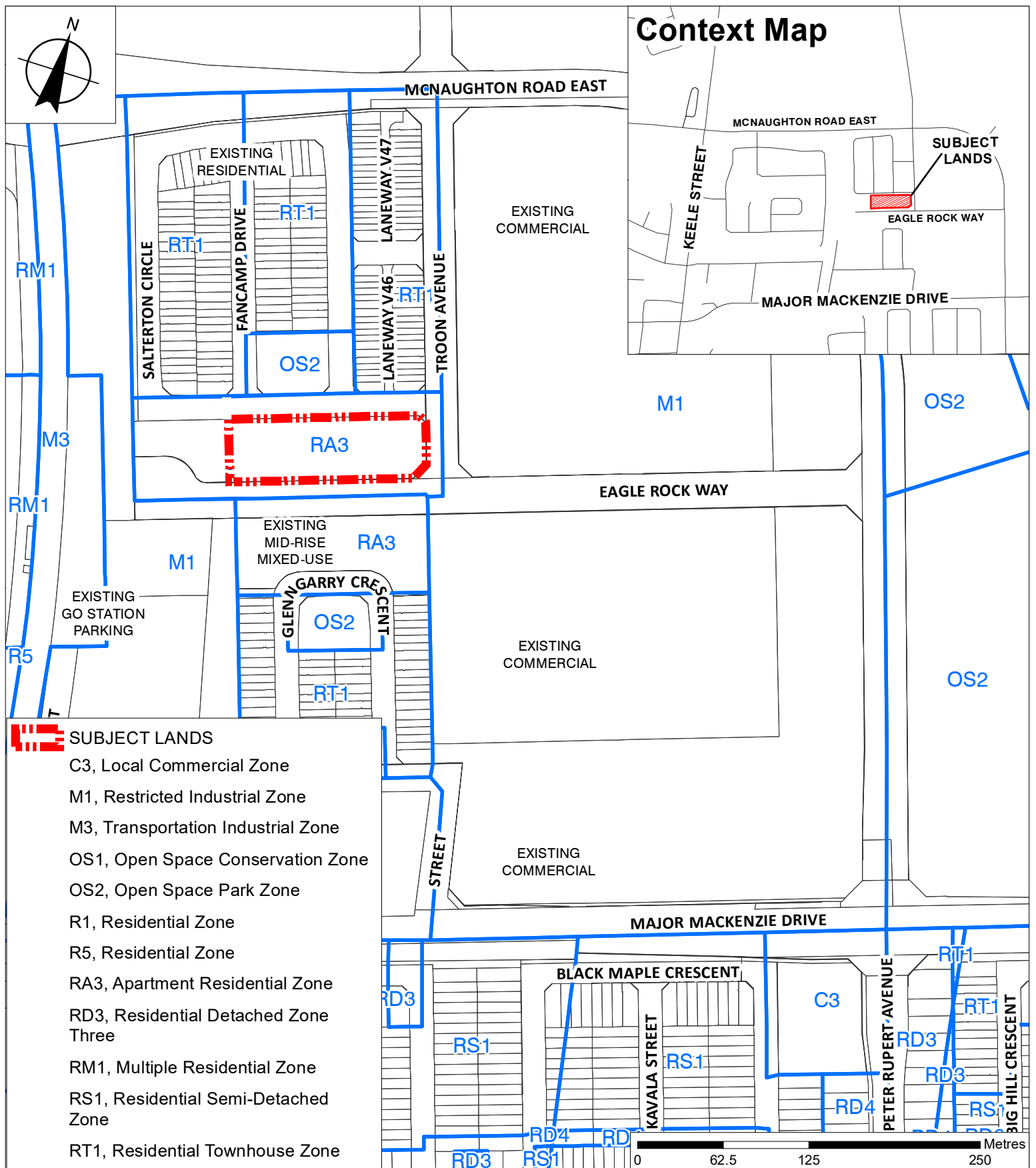
10. The Owner must supply, install and maintain a centralized mailbox facility (rear-fed mailroom) for the residential units to Canada Post’s specifications.
11. The Owner must supply, install and maintain a centralized mailbox facility lockbox assembly) for the commercial units to Canada Post’s specifications.

### **Utilities Conditions**

12. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority.

### **Clearances**

13. The Vaughan Development Planning Department shall advise that Conditions 1 to 9 have been satisfied.
14. Canada Post shall advise the Vaughan Development Planning Department in writing that Conditions 10 and 11 have been satisfied.
15. Enbridge Gas, Hydro One, Bell Canada and Alectra Utilities Corporation shall advise the Vaughan Development Planning Department in writing that Condition 12 has been satisfied.



## Context and Location Map

**LOCATION:**

100 & 110 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**

Chelsea Maple Residences (Phase II) Inc.



## Attachment

**File:**

19CDM-20V003

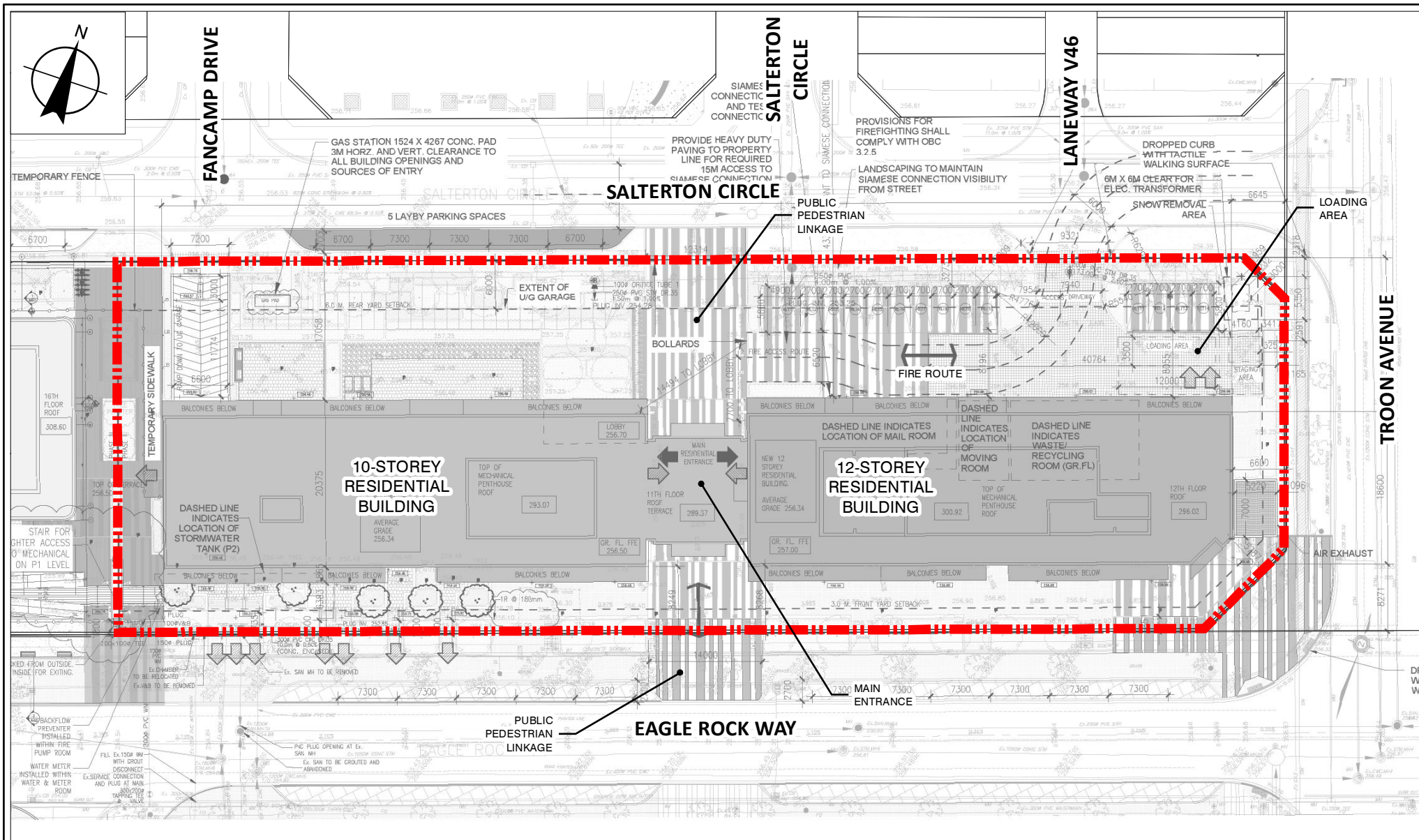
**Related Files:**

DA.17.086, Z.17.086

Date:

June 16, 2020

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# SALTERTON CIRCLE

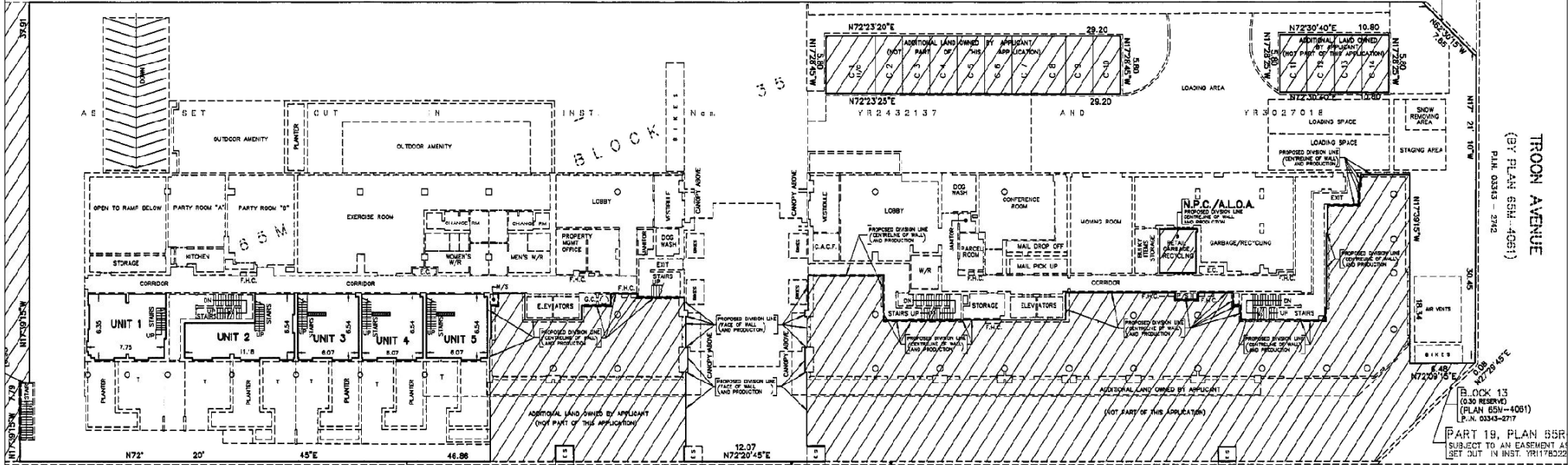
(BY PLAN 65M-4477)

P.I.N. 03343 - 3040

N72°20'45"E

136.53

BLOCK 54  
(330 RESERVE)  
(PLAN 65M-4477)  
P.I.N. 03343-2738



PART 16, PLAK, 65R-30951  
SUBJECT TO AN EASEMENT AS SET OUT IN INST. No. YR1178022

## EAGLE ROCK WAY

(BY PLAN 65M-4061)

P.I.N. 03343 - 2741

UNITS 1 TO 5 INCLUSIVE  
LEVEL 1 (LOWER FLOOR)

BLOCK 14  
(330 RESERVE)  
(PLAN 65M-4061)  
P.I.N. 03343-2738

PART 20, PLAN 65R-30951

SUBJECT TO AN EASEMENT AS SET OUT IN INST. No. YR1178022

BLOCK 13  
(330 RESERVE)  
(PLAN 65M-4061)  
P.I.N. 03343-2717  
PART 19, PLAN 65R  
SUBJECT TO AN EASEMENT AS  
SET OUT IN INST. YR1178022

Not to Scale

## Draft Plan of Condominium (Standard) Level 1 (Lower Floor)

**LOCATION:**  
100 & 110 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**  
Chelsea Maple Residences (Phase II) Inc.



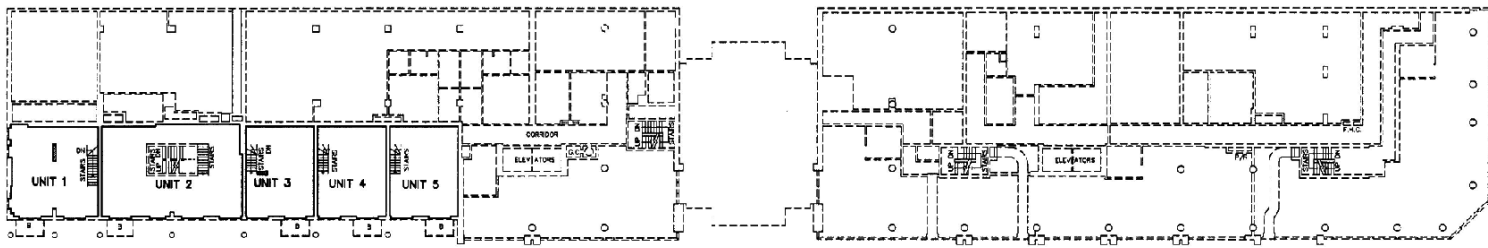
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19CDM-20V003

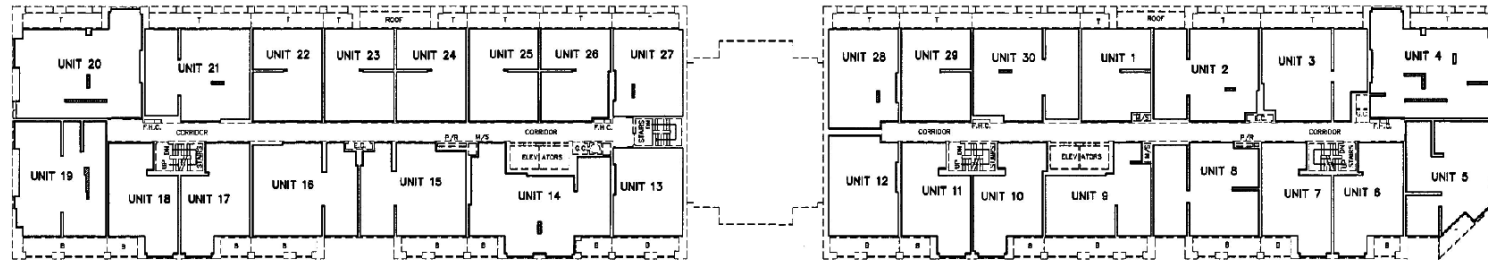
**Related Files:**  
DA.17.086, Z.17.086

**Date:**  
June 16, 2020

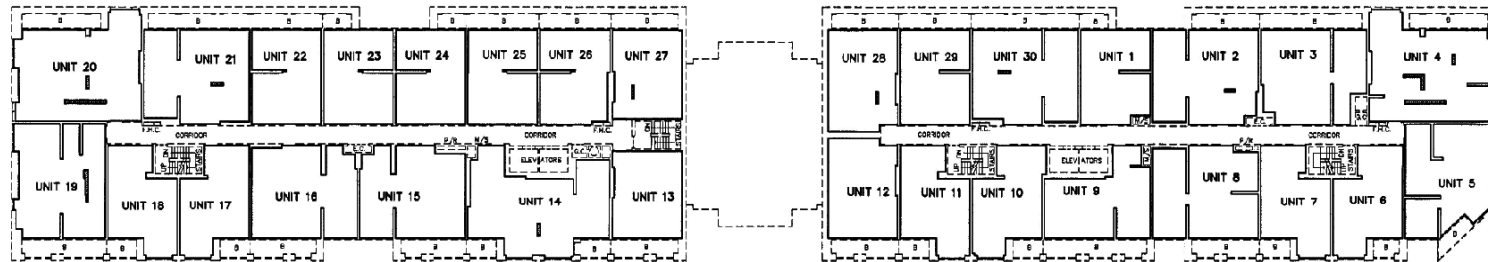
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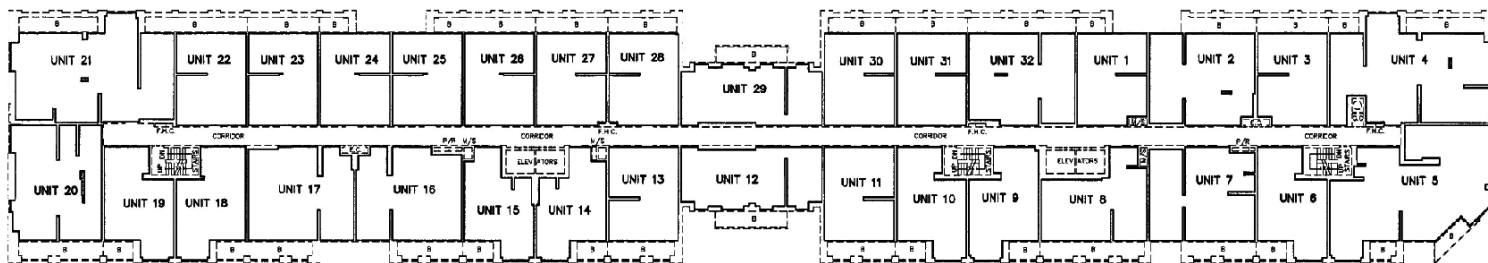
UNITS 1 TO 5 INCLUSIVE  
LEVEL 1 (UPPER FLOOR)



UNITS 1 TO 30 INCLUSIVE  
LEVEL 2



UNITS 1 TO 30 INCLUSIVE  
LEVEL 3



UNITS 1 TO 32 INCLUSIVE  
LEVEL 4, 5, 6 AND 7

Not to Scale

# Draft Plan of Condominium (Standard) Levels 1 (Upper Floor) to 7

**LOCATION:**  
100 & 110 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**  
Chelsea Maple Residences (Phase II) Inc.



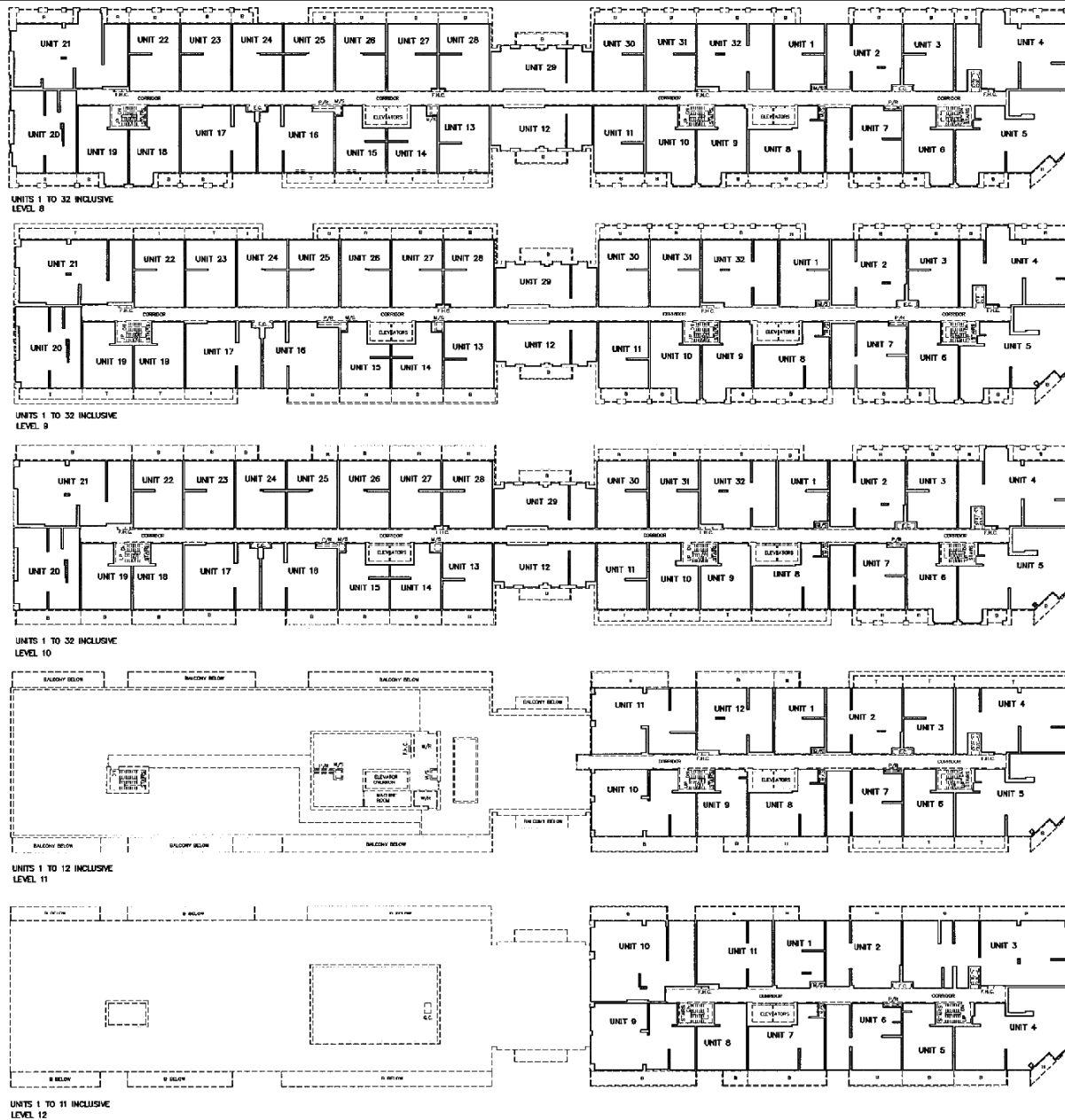
## Attachment

**File:**  
19CDM-20V003

**Related Files:**  
DA.17.086, Z.17.086

**Date:**  
June 16, 2020

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Not to Scale

# Draft Plan of Condominium (Standard) Levels 8 to 12

**LOCATION:**  
100 & 110 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**  
Chelsea Maple Residences (Phase II) Inc.

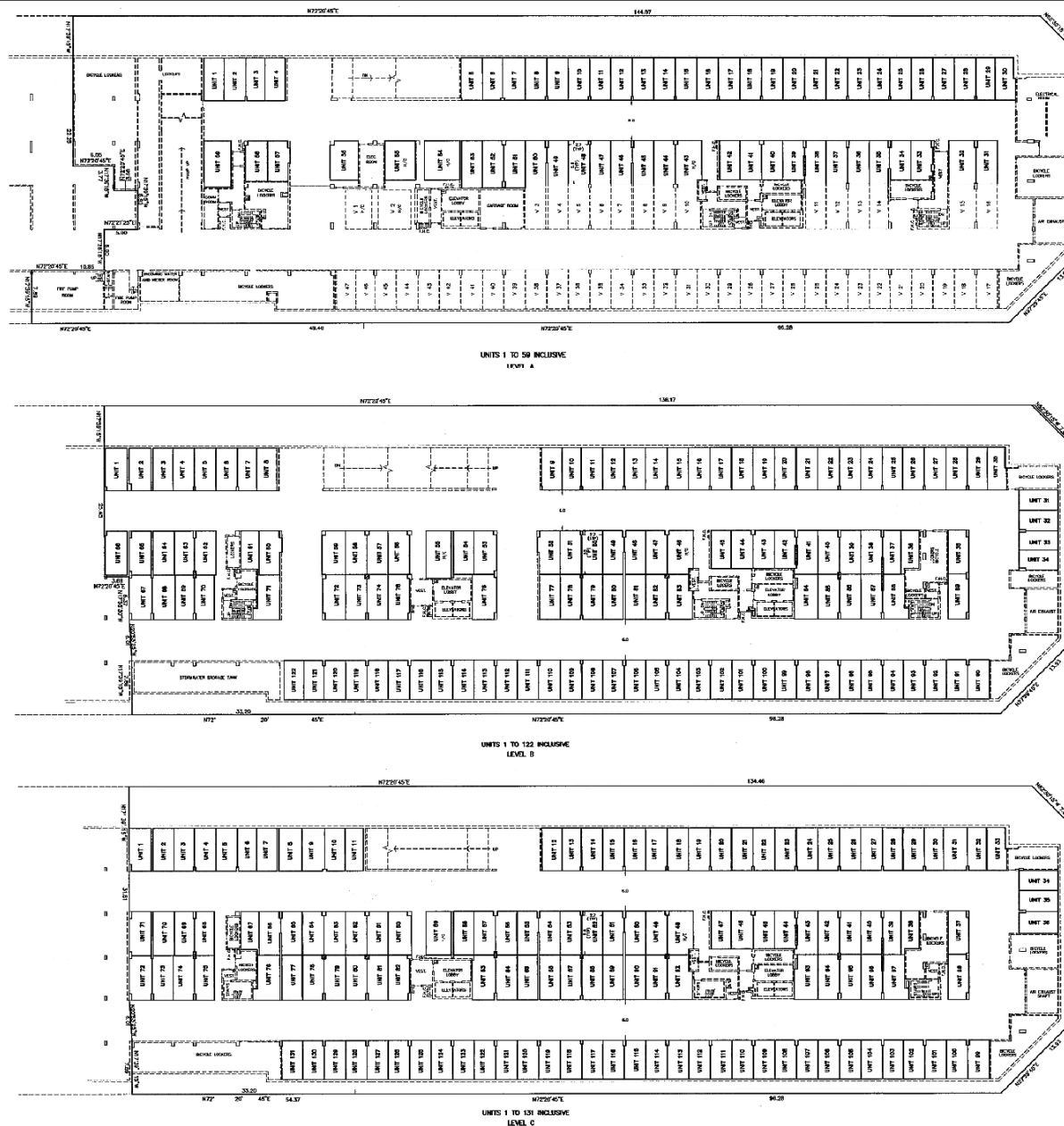


## Attachment

**File:**  
19CDM-20V003  
**Related Files:**  
DA.17.086, Z.17.086  
**Date:**  
June 16, 2020

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Not to Scale

# **Draft Plan of Condominium (Standard) Underground Parking Levels A, B and C**

**LOCATION:**  
100 & 110 Eagle Rock Way  
Part of Lot 21, Concession 3

**APPLICANT:**  
Chelsea Maple Residences (Phase II) Inc.



**Attachment**  
File:  
19CDM-20V003  
Related Files:  
DA.17.086, Z.17.086  
Date:  
June 16, 2020

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