

Committee of the Whole (2) Report

DATE: Tuesday, February 9, 2021

WARD: 4

**TITLE: VMC RESIDENCES INC. ON BEHALF OF VMC RESIDENCES
LIMITED PARTNERSHIP
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-20V009
5 BUTTERMILL AVENUE
VICINITY OF BUTTERMILL ROAD AND PORTAGE PARKWAY**

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-20V009 to create condominium tenure for the at-grade townhouse units that were approved as part of the ultimate site plan for the Transit City Towers 1 and 2 (Site Development File DA.17.014) in the Vaughan Metropolitan Centre (VMC), as shown on Attachment 3. While eleven (11) townhouse units were initially approved by Vaughan Council on June 23, 2017, the City recently approved Site Development File DA.20.057 (a Minor Amendment to the existing site plan approval) to convert the 11 townhouse units into 22 stacked townhouse units, maintaining at-grade access to the units and conforming to the approved building envelope and elevations.

Report Highlights

- This report recommends approval of Draft Plan of Condominium (Standard) File 19CDM-20V009, subject to conditions, to create the condominium tenure for the development that is consistent with the approved Site Development Files DA.17.014 and DA.20.057, subject to the Conditions of Draft Approval in Attachment 1.

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-20V009 BE APPROVED, subject to conditions, to create the condominium tenure for the development that is consistent with the approved Site Development Files DA.17.014 and DA.20.057, subject to Conditions of Draft Approval in Attachment 1; and
2. THAT prior to Final Approval of the Draft Plan of Condominium (Standard) File 19CDM-20V009, the Owner shall successfully obtain the following:
 - a. Site Development Application File DA.20.057 be approved by the VMC Program and the amending Site Plan Agreement must be registered on-title.

Background

The Subject Lands are located on the south side of Portage Parkway, east of the future Buttermill Avenue and north of the VMC Centre of Community, and municipally known as 898 Portage Parkway and 5 Buttermill Avenue (the 'Subject Lands'), with the surrounding land uses shown on Attachment 2.

Previous Reports/Authority

[Item 38, Report No. 26, of the Committee of the Whole, adopted without amendment by Council of the City of Vaughan on June 27, 2017](#)

Analysis and Options

The Owner has submitted a Draft Plan of Condominium File 19CDM-20V009 (the 'Application') to create the condominium tenure, as shown on Attachments 2 to 5, for townhouse units which were approved by Vaughan Council on June 27, 2017 as part of the Transit City Towers 1 and 2 development (Site Development File DA.17.014), which is currently under construction and which were amended by DA.20.057. The Application consists of the following:

- 22 stacked townhouse units within a 4-storey envelope (11 one-bedroom units, and 11, three-bedroom units) accessed at-grade
- Residential Gross Floor Area ('GFA') of 2,588 m²
- Site Area of 1,056.9 m²
- Total GFA (all uses inclusive of Transit City 1 and 2 towers) of 92,675 m²

It should be noted that all site statistics apart from the increased number of townhouse units, are consistent with the previous Council approval (DA.17.014).

The Application is consistent with the approved ultimate site plan, as shown on Attachment 3, which includes the revised proposal for 22 stacked townhouse units and the ultimate urban streetscape conditions to be implemented upon construction of the Buttermill Avenue to Portage Parkway. A demolition permit has been received by the City to remove portions of the existing Walmart store to enable construction of Buttermill Avenue and the townhouse units.

The proposed 11 one-bedroom units have direct access to the street facing Buttermill Avenue and are located on the ground floor (shown on Attachment 4). The other proposed 11 units occupy Levels 2 to 4 and have two points of access; one at-grade facing Buttermill Avenue, and the other on the 4th floor to a shared common corridor which provides direct access into the above-grade parking structure (shown on Attachment 5). These larger dwellings consist of three-bedroom units with a private roof top amenity area. All 22 townhouse units will be managed by a single condominium corporation. The proposal will permit standard condominium tenure for each unit and will have shared access to and from the same facilities as offered by the Transit City Towers 1 and 2 buildings (i.e. access to common amenity, lobby, visitor, parking, bicycle parking areas etc.). The Development will have public access to the enhanced pedestrian connection provided via the Transit City Towers 1 and 2 development, which will continue to be owned, and maintained by the Owner. A condition to this effect is included in Attachment 1.

The Application is consistent and conforms to Provincial, Region of York policies and conforms to VOP 2010 and the VMC Secondary Plan

The Provincial Policy Statement, 2020 ('PPS') and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan') provide policy direction for land use planning and development for lands in Ontario. The Subject Lands are within an "Urban Growth Centre" and "Major Transit Station Area" as identified by the Growth Plan and designated as "Urban Area" and located within a "Regional Centre" by the York Region Official Plan ('YROP').

Volume 2 of the Vaughan Official Plan 2010 ('VOP 2010'), specifically the Vaughan Metropolitan Centre Secondary Plan (the 'VMC Secondary Plan'), designates the Subject Lands "Station Precinct", which permits a maximum building height of 25-storeys and a maximum density of 4.5 times the area of the lot (Floor Space Index – 'FSI'). The development is permitted a density of 8.64 FSI with two 55-storey apartments buildings, integrated with the 4-storey townhouse units facing Buttermill Avenue, resulting from the provisions of Policy 8.1.24, respecting the transfer of unused building height and/or density, in the VMC Secondary Plan.

The proposed stacked townhouses provide additional unit typologies contributing to the overall housing-mix and options for the area. The Development is transit-supportive as the Subject Lands are located within an MTSA and is located within proximity to the SmartVMC Bus Terminal, VMC Subway Station, and the VivaNext Bus Rapid Transit along Highway 7 (the 'higher order transit'). The Application is permitted by the YROP, VOP 2010, VMC Secondary Plan and compiles with Zoning By-law 1-88. The Condominium Plan implements the tenure for development that is consistent with and conforms to Provincial, York Region Official Plan and City Official Plan Policies.

The Application complies with Zoning By-law 1-88 and is consistent with the approved site plan

The Subject Lands are zoned C10 Corporate District Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1445). The original site plan was approved in 2017 with an enhanced pedestrian connection along the eastern property line that is subject to a public access arrangement. The latest approved Site Plan (File DA.20.057) maintains the same enhanced pedestrian connection in its ultimate condition. The development is permitted and complies with all the requirements of Zoning By-law 1-88. 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.

The proposed garbage/recycling collection may be eligible for municipal waste collection service 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.

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

Canada Post has no objection to the Application, subject to the conditions, in relation to approved Site Development Application Files DA.17.014 and DA.20.057, being satisfied. Alectra Utilities, Enbridge Gas, Bell Canada, and Rogers have no objection to the Application. The Owner is required to confirm 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 Application, subject to their Conditions of Draft Approval identified in Attachment 1.

Conclusion

Draft Plan of Condominium (Standard) File 19CDM-20V009 conforms to the VMCSPP, complies with Zoning By-law 1-88, and is consistent with the approved ultimate site plan, as approved by File DA.17.014 and as recently approved by DA.20.057. Accordingly, the Planning and Growth Management Portfolio, VMC Program recommends approval of the Application, subject to conditions set out in Attachment 1.

For more information, please contact: Natalie Wong, Senior Planner, VMC at extension 8866.

Attachments

1. Conditions of Draft Approval.
2. Context and Location Map.
3. Approved Ultimate Site Plan.
4. Proposed Draft Plan of Condominium.
5. Proposed Draft Plan of Condominium (Levels 2, 3, and 4).

Prepared by

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Approved by



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