

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 19, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 17, 2013.

Councillor Racco declared an interest with respect to the foregoing matter as her daughter is employed by a company related to the applicant and did not take part in the discussion or vote on the matter.

**19 DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-13V006
 SOLMAR INC.
 WARD 1 - VICINITY OF JANE STREET AND RUTHERFORD ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated September 3, 2013:

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-13V006 (Solmar Inc.) BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

The proposal addresses the tenure of the property only, and therefore, there is no contribution to sustainability through this application.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted Draft Plan of Condominium (Standard) File 19CDM-13V006 for the subject lands shown on Attachments #2 and #3 for one 17-storey residential apartment building (Building "D") consisting of 236 residential units and a total gross floor area of 24,758 m², as shown on Attachment #5.

Background - Analysis and Options

The 1.101 ha subject lands (Building "D") forms part of a larger 9.474 ha site located at the northeast corner of Jane Street and Rutherford Road (municipally known as 9255 Jane Street). Building "D" is currently under construction in accordance with the approved Site Plan shown on Attachment #4. The surrounding land uses are shown on Attachment #3.

Official Plan and Zoning

The subject lands are part of the Vaughan Centre Secondary Plan Area as defined by in-effect Official Plan Amendment #600, as amended by Official Plan Amendment #626, which was approved by the Ontario Municipal Board on April 19, 2005 (Decision Order 0982). OPA #626 designates the subject lands "High Density Residential/Commercial", which permits the residential

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 19, CW Report No. 35 – Page 2

apartment development. The lands are also designated "High-Rise Residential" by the new City of Vaughan Official Plan 2010, which was approved by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012), and was recently approved, in part, by the Ontario Municipal Board. The application conforms to the Official Plans.

The subject lands are zoned RA3 Apartment Residential Zone by Zoning By-law 1-88 and subject to Exception 9(1246). In 2007, the Vaughan Committee of Adjustment approved Minor Variance File A109/07 to permit an increase in the maximum permitted building height for Building "D" from 16 storeys (50 m) to 17 storeys (55 m). Subsequently in 2012, the Vaughan Committee of Adjustment approved Minor Variance File A088/12 to permit a reduction in the minimum number of required parking spaces on the property from 420 to 346 (353 provided). The proposed Draft Plan of Condominium complies with Zoning By-law 1-88.

Site Development

The subject lands are part of the overall Solmar Inc. land holding which is comprised of four residential apartment buildings organized around an internal access road, from Rutherford Road over the valley lands to a driveway onto Jane Street (Attachment #3).

On May 8, 2012, Vaughan Council approved Site Development File DA.11.104 (Building "D"), which consists of a 17-storey residential building with a total gross floor area of 24,758 m². The site plan for Building "D" shown on Attachment #4 was originally approved for 240 residential units and 346 parking spaces. As a result of minor modifications to the parking layout and floor plans, the total number of residential units was reduced to 236 and the number of parking spaces provided has increased to 353. The building envelope and site plan was not changed as result of the modification to the floor plan.

The draft plan of condominium shown on Attachment #5 is consistent with the approved site plan, shown on Attachment #4. As a condition of approval, the Owner will be required to submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department, prior to the registration of the final condominium plan.

Garbage/Recycling Collection and Snow Removal

Snow removal and garbage and recycling pick-up will be privately administered and the responsibility of the Condominium Corporation.

Canadian National Railway (CNR)

CNR requires that the following warning clause (and other clauses identified in Attachment #1) be inserted in all offers of purchase and sale, and within the condominium documents, with the express intention that potential purchasers and future owners are made aware of the proximity of railway operations and the pullback track:

"That Canadian National Railway Company ("CN") is the owner of certain lands known as its "MacMillan Rail Yard" (the "CN Lands"), portions of which are located within 300 metres of the Project Lands, and that the CN Lands are now and will continue to be used for the present and future railway facilities and operations of CN on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives with the generation of diesel fumes and odours, artificial lighting of the CN Lands which may illuminate the sky, the switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same, and the operation of various processes for the maintenance of rail equipment."

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 19, CW Report No. 35 – Page 3

The Owner will be required to fulfill all requirements of CN. A condition to this effect is included in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Lead & Promote Environmental Sustainability**

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

The development includes a three stream waste disposal system which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The approved landscape plan includes drought tolerant plant material to promote water efficiency. Connections are provided to an existing quality stormwater pond to encourage proper management of stormwater discharge into the City's natural corridors and sewer systems. Furthermore, the Owner has provided access to the valley lands to be used and maintained by the residents as a natural and passive area.

ii) **Manage Growth and Economic Well Being**

Creating a positive environment that encourages innovation and prosperity.

The development facilitates intensification located on a designated Primary Intensification Corridor to support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

Regional Implications

The proposed draft plan of condominium represents the fourth and final building in the overall development of the lands located at the northeast corner of Jane Street and Rutherford Road as shown on Attachment #3. The Region of York supported the first three building proposals and has no objections to the fourth building as it is consistent with Regional Official Plan policies to provide a wider range of housing options for residents, and provide medium and higher density urban development adjacent to transit-intensive urban arterial roads.

Conclusion

The Vaughan Development Planning Department has reviewed Draft Plan of Condominium File 19CDM-13V006, which conforms to the Official Plan, complies with Zoning By-law 1-88, and is consistent with the approved site plan. Accordingly, the Development Planning Department has no objection to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Approved Building "D" Site Plan
5. Draft Plan of Condominium (Standard) File19CDM-13V006

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 19, CW Report No. 35 – Page 4

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Councillor Racco declared an interest with respect to the foregoing matter as her daughter is employed by a company related to the applicant and did not take part in the discussion or vote on the matter.