

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 20, 2015

Item 2, Report No. 2, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 20, 2015.

**2 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V007
 KING JANE DEVELOPMENTS INC.
 WARD 4 - VICINITY OF MAJOR MACKENZIE DRIVE AND DUFFERIN STREET**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning and Manager of Development Planning, dated January 13, 2015:

Recommendation

The Commissioner of Planning, Director of Development Planning and Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-14V007 (King Jane Developments Inc.) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

The subject lands are currently being developed in accordance with Site Development File DA.12.089 that was approved by Vaughan Council on June 25, 2013, and the contribution to sustainability was identified at that time. This proposed Draft Plan of Condominium addresses the tenure of the residential property, 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

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-14V007 for the subject lands shown on Attachments #2 and #3, comprised of 136 block townhouse dwelling units and 6 semi-detached dwelling units, as shown on Attachment #5.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the south side of Major Mackenzie Drive, east of Dufferin Street (1331 Major Mackenzie Drive), City of Vaughan. The property is currently under construction and will be developed with semi-detached and townhouse dwellings. The surrounding land uses are shown on Attachment #3.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 20, 2015

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Official Plan and Zoning

On June 25, 2013, Vaughan Council approved site-specific OPA #739 to amend OPA #600, the in-effect Official Plan at the time, specifically to redesignate the subject lands from “High Density Residential/Commercial” to “Medium Density Residential/Commercial” to permit semi-detached and block townhouse dwellings with a maximum permitted density of 47 units per hectare.

Section 10.2.1.3 of VOP 2010 states “that any Official Plan Amendment application approved or adopted by Vaughan Council following September 7, 2010 and prior to the approval of this Plan (VOP 2010) shall be incorporated into this Plan without further amendment”. OPA #739 was approved prior to the partial approval of VOP 2010 by the Ontario Municipal Board on July 23, 2013, December 2, 2013, February 3, 2014 and September 30, 2014. Accordingly, OPA #739 has been incorporated into VOP 2010.

The proposed Draft Plan of Condominium is in accordance with OPA #739, as incorporated into VOP 2010, and conforms to the Official Plan.

The subject lands are zoned RM2 Multiple Residential Zone by Zoning By-law 1-88, subject to Exception 9(779), which permits block townhouse and semi-detached dwelling units. The proposed draft plan of condominium complies with Zoning By-law 1-88.

Site Plan

Vaughan Council approved Site Development File DA.12.089 on June 25, 2013, to permit 136 block townhouse and 6 semi-detached dwelling units with 39 visitor parking spaces, as shown on Attachment #4. The proposed Draft Plan of Condominium (Standard) will facilitate tenure for the 142 residential condominium units currently under construction. The Draft Plan of Condominium is consistent with approved Site Development File DA.12.089, as shown on Attachment #5.

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

Vaughan Development/Transportation Engineering

The Vaughan Development/Transportation Engineering Department has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement respecting noise control features as identified in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

The application was circulated to the TRCA for review and comment. The TRCA has no objection to the approval of Draft Plan of Condominium 19CDM-14V007, subject to the inclusion of conditions in the Condominium Agreement respecting the floodplain lands as identified in Attachment #1.

Canada Post Corporation

Canada Post has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1. The Vaughan Planning Department, in consultation with Canada Post Corporation, approved the location of the proposed community mailbox through Site Development Application DA.12.089, as shown on Attachments #4 and #5.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 20, 2015

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Bell Canada

Bell Canada has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Well-being”.

Regional Implications

The Region of York has no objections to the approval of Draft Plan of Condominium File 19CDM-14V007, subject to the inclusion of conditions in the Condominium Agreement respecting site plan conditions, permits, work in the Regional right-of-way, pedestrian connections and transit stops as identified in Attachment #1.

Conclusion

The Vaughan Planning Department has reviewed the Draft Plan of Condominium application, which conforms to the Official Plan, complies with Zoning By-law 1-88, and is consistent with the approved site plan, and 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 Draft Approval
2. Context Location Map
3. Location Map
4. Approved Site Plan - File DA.12.089
5. Draft Plan of Condominium - File 19CDM-14V007

Report prepared by:

Mark Antoine, Planner, ext. 8212
Christina Napoli, Senior Planner, ext. 8483

(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.)

COMMITTEE OF THE WHOLE JANUARY 13, 2015

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V007
KING JANE DEVELOPMENTS INC.
WARD 4 - VICINITY OF MAJOR MACKENZIE DRIVE AND DUFFERIN STREET**

Recommendation

The Commissioner of Planning, Director of Development Planning and Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-14V007 (King Jane Developments Inc.) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

The subject lands are currently being developed in accordance with Site Development File DA.12.089 that was approved by Vaughan Council on June 25, 2013, and the contribution to sustainability was identified at that time. This proposed Draft Plan of Condominium addresses the tenure of the residential property, 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

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-14V007 for the subject lands shown on Attachments #2 and #3, comprised of 136 block townhouse dwelling units and 6 semi-detached dwelling units, as shown on Attachment #5.

Background - Analysis and Options

Location

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Official Plan and Zoning

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Section 10.2.1.3 of VOP 2010 states "that any Official Plan Amendment application approved or adopted by Vaughan Council following September 7, 2010 and prior to the approval of this Plan

(VOP 2010) shall be incorporated into this Plan without further amendment". OPA #739 was approved prior to the partial approval of VOP 2010 by the Ontario Municipal Board on July 23, 2013, December 2, 2013, February 3, 2014 and September 30, 2014. Accordingly, OPA #739 has been incorporated into VOP 2010.

The proposed Draft Plan of Condominium is in accordance with OPA #739, as incorporated into VOP 2010, and conforms to the Official Plan.

The subject lands are zoned RM2 Multiple Residential Zone by Zoning By-law 1-88, subject to Exception 9(779), which permits block townhouse and semi-detached dwelling units. The proposed draft plan of condominium complies with Zoning By-law 1-88.

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

Vaughan Development/Transportation Engineering

The Vaughan Development/Transportation Engineering Department has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement respecting noise control features as identified in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

The application was circulated to the TRCA for review and comment. The TRCA has no objection to the approval of Draft Plan of Condominium 19CDM-14V007, subject to the inclusion of conditions in the Condominium Agreement respecting the floodplain lands as identified in Attachment #1.

Canada Post Corporation

Canada Post has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1. The Vaughan Planning Department, in consultation with Canada Post Corporation, approved the location of the proposed community mailbox through Site Development Application DA.12.089, as shown on Attachments #4 and #5.

Bell Canada

Bell Canada has no objections to the proposal subject to the inclusion of conditions in the Condominium Agreement as identified in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Well-being".

Regional Implications

The Region of York has no objections to the approval of Draft Plan of Condominium File 19CDM-14V007, subject to the inclusion of conditions in the Condominium Agreement respecting site plan conditions, permits, work in the Regional right-of-way, pedestrian connections and transit stops as identified in Attachment #1.

Conclusion

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

Attachments

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Report prepared by:

Mark Antoine, Planner, ext. 8212
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V007
KING JANE DEVELOPMENTS INC. (OWNER)
PART OF LOT 20, CONCESSION 2, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-14V007, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Rady-Pentek & Edward Surveying Ltd., drawing # 12-135-DR-PLAN, dated September 24, 2014.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered plan of condominium to the Vaughan Planning Department.
3. The Owner shall enter into a Condominium Agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary, which may be outstanding from the site plan approval process (File DA.12.089).
4. 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, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation;
 - c) the following warning clause shall be included in all Offers of Purchase and Sale or Lease for all dwelling units on the lands:

“Purchasers/tenants are advised that sound levels due to activities at the plaza at the northeast corner of Major Mackenzie Drive and Dufferin Street will at times be audible.”
 - d) the following warning clause shall be included in all Offers of Purchase and Sale or Lease for Units: 1 to 48, 64 to 77, 137 to 142 on the lands:

“Purchaser/tenants are advised that despite the inclusion of noise control features within this development area and within the building units, sound levels from increasing road traffic on Major Mackenzie Drive may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the Municipality’s and the Ministry of Environment’s noise criteria.”
 - e) the following warning clauses shall be included in all Offers of Purchase and Sale or Lease for Units: 1 to 24, 64, 65 and 139 to 142 on the lands:

"In order to achieve a suitable indoor noise environment, windows may have to remain closed; therefore, these dwelling units have been equipped with a central air conditioning system."

"Purchasers/tenants are advised that despite the inclusion of noise control features within this development area and within the building units, sound levels from increasing road traffic on Major Mackenzie Drive may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the Municipality's and the Ministry of Environment's noise criteria."

- f) the following warning clauses shall be included in all Offers of Purchase and Sale or Lease for Units: 25 to 48, 66 to 77, 137 and 138 on the lands:

"This dwelling is fitted with a forced air heating system and the fan, ducts, etc. are sized to accommodate the installation of a central air conditioning system if it is found necessary by the owner/occupant at any time in the future. If the air conditioning is to be provided at a later date, the outdoor unit shall be located in a noise insensitive location. The final installation shall meet the Ministry of Environment criteria in Publication NPC-216 and other applicable levels specified by the municipality".

"Purchasers/tenants are advised that despite the inclusion of noise control features within this development area and within the building units, sound levels from increasing road traffic on Major Mackenzie Drive may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the Municipality's and the Ministry of Environment's noise criteria."

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 Vaughan 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 that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Development Finance and Investments Department.

Canada Post

9. The Owner shall address the following conditions of Canada Post:
 - a) The Owner will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
 - b) The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the

public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Vaughan.

- c) The Owner agrees to include in all Offers of Purchase and Sale, a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- d) The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign-off.
- e) The Owner agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - 1) A Community Mailbox concrete base pad per Canada Post specifications.
 - 2) Any required walkway across the boulevard, as per municipal standards.
 - 3) Any required curb depressions for wheelchair access.

Bell Canada

10. The Owner shall address the following conditions of Bell Canada:

- a) The Owner shall agree in the Condominium Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. 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.
- b) Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

Toronto and Region Conservation Authority

11. The Owner shall address the following condition of the Toronto and Region Conservation Authority (TRCA):

- a) As the flood plain lands are in public ownership by the TRCA, continued monitoring for erosion as a result of storm water discharge is required in accordance with the monitoring plan identified as part of TRCA Permit C-140125. Furthermore, any remedial work design and implementation will be funded by the Owner, but may be undertaken by the TRCA or designate.

York Region

12. The Owner shall address the following conditions of York Region:

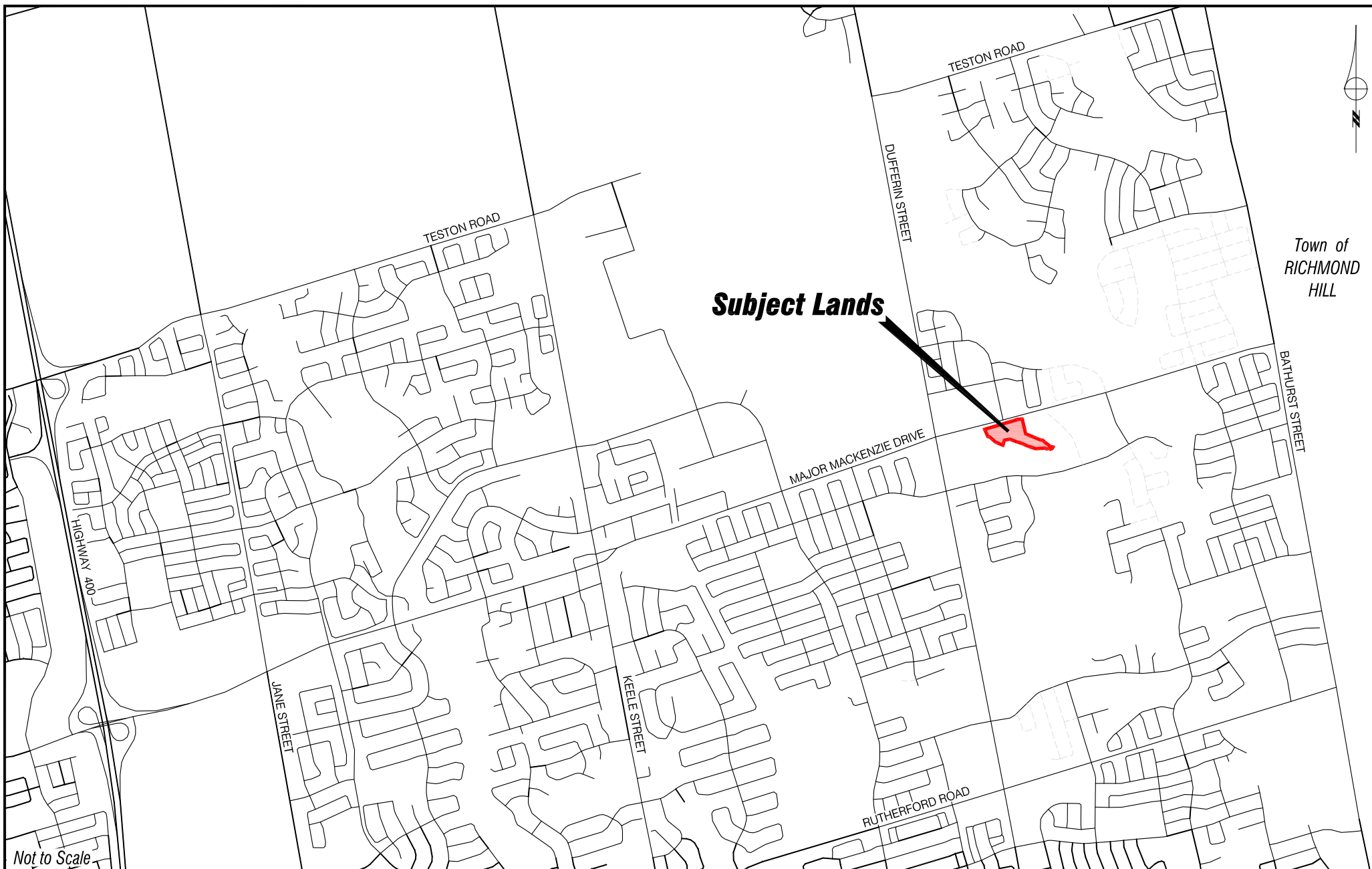
- a) Prior to final approval, the Owner shall provide confirmation that all of the conditions of the site plan approval issued for the subject property on

September 22, 2014 under Regional File No. SP-V-004-13, have been satisfied.

- b) 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 property issued on September 22, 2014 under Regional File No. SP-V-004-13.
- c) 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.
- d) Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.
- e) Prior to final approval, the Owner shall agree to confirm the placement of a transit stop at the intersection of Major Mackenzie Drive and Sir Benson Drive with York Region Transit.

Clearances

- 13. The City (Vaughan Planning Department) shall advise that Conditions 1 to 8 have been satisfied.
- 14. Canada Post Corporation shall advise the Vaughan Planning Department in writing that Condition 9 has been satisfied.
- 15. Bell Canada shall advise the Vaughan Planning Department in writing that Condition 10 has been satisfied.
- 16. The TRCA shall advise the Vaughan Planning Department in writing that Condition 11 has been satisfied.
- 17. York Region shall advise the Vaughan Planning Department in writing that Condition 12 has been satisfied.



Context Location Map

LOCATION:
Part of Lot 20, Concession 2

APPLICANT:
King Jane Developments Inc.

N:\DFT\1 ATTACHMENTS\19\19cdm-14v007.dwg



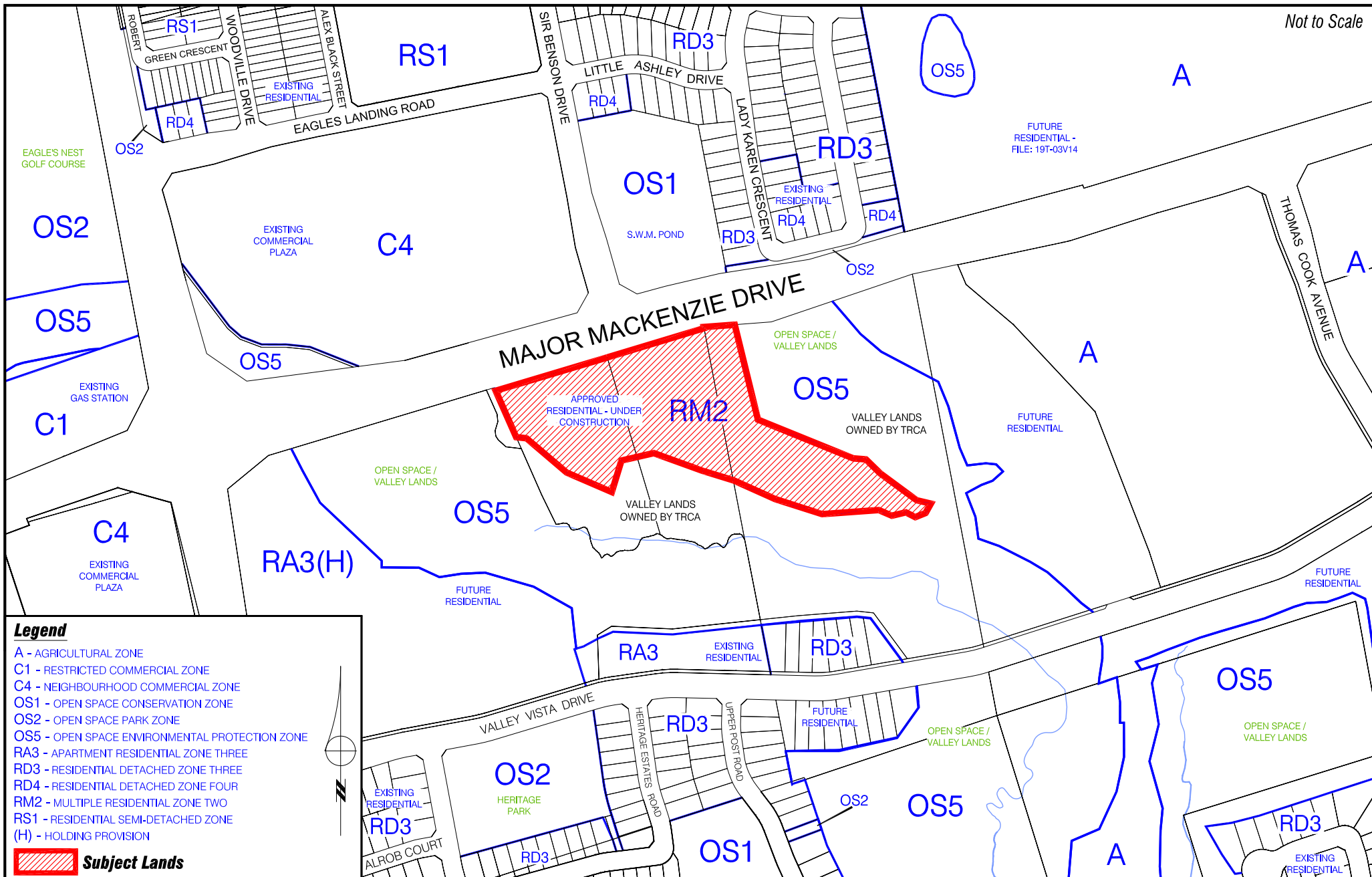
Attachment

FILE: 19CDM-14V007

RELATED FILE: DA.12.089

DATE: January 13, 2015

2



Location Map

LOCATION:
Part of Lot 20, Concession 2

APPLICANT:
King Jane Developments Inc.

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Attachment

FILE: 19CDM-14V007

RELATED FILE: DA.12.089

DATE: January 13, 2015

3



Approved Site Plan - File DA.12.089

LOCATION:
Part of Lot 20, Concession 2

APPLICANT:
King Jane Developments Inc.

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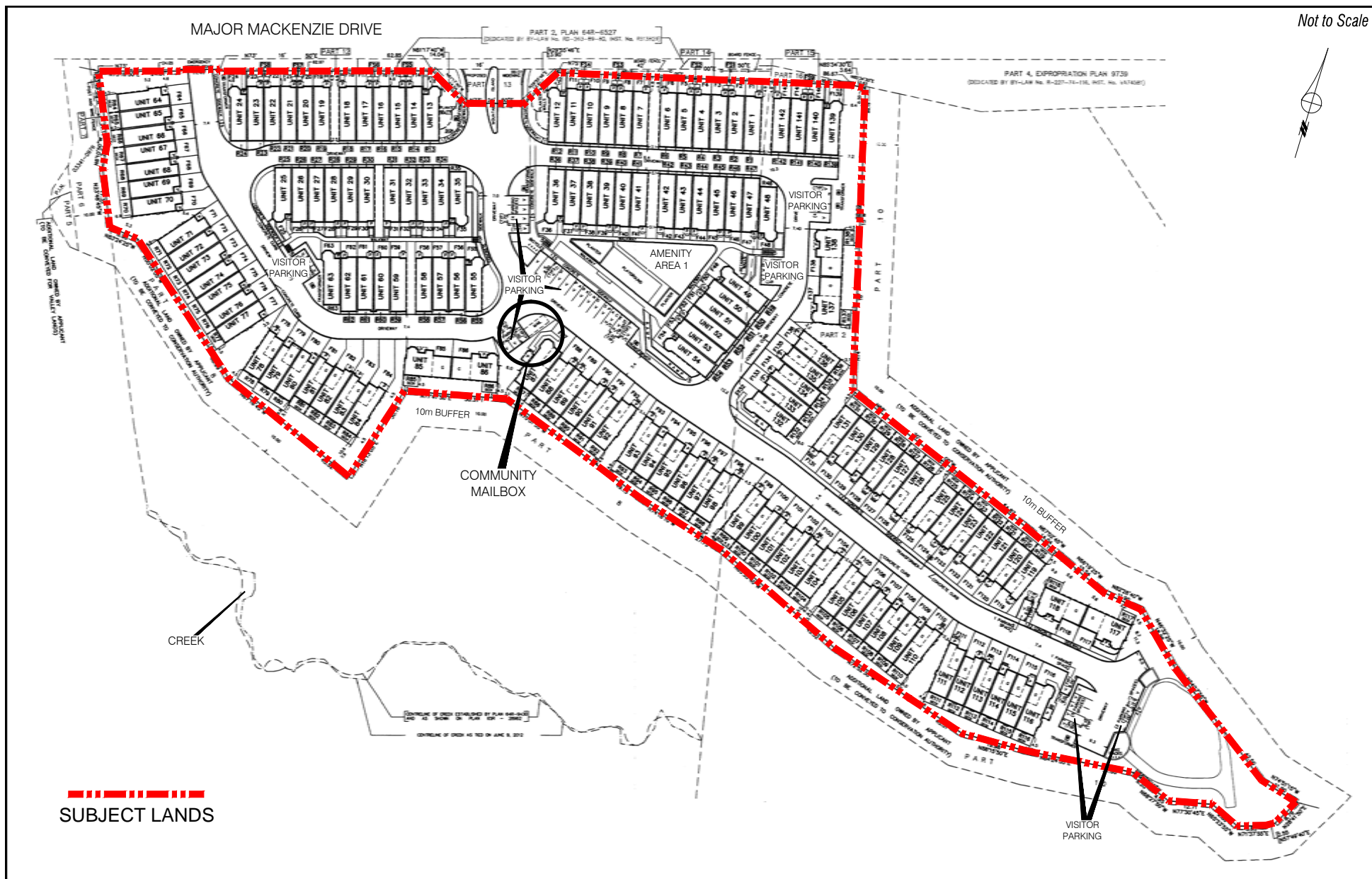
Attachment

FILE: 19CDM-14V007

RELATED FILE: DA.12.089

DATE: January 13, 2015

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Draft Plan of Condominium - File 19CDM-14V007

APPLICANT: King Jane Developments Inc. LOCATION: Part of Lot 20, Concession 2



Attachment

FILE: 19CDM-14V007

RELATED FILE: DA.12.089

DATE: January 13, 2015

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