

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 2, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

**2 DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-13V014
CRYSTAL CORPORATE CENTRE INC.
WARD 4 - VICINITY OF JANE STREET AND GENSAL GATE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated June 3, 2014:

Recommendation

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

1. THAT Draft Plan of Condominium (Standard) File 19CDM-13V014 (Crystal Corporate Centre Inc.) BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

This 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

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-13V014 as shown on Attachment #4, to facilitate a change in tenure to a condominium for the approved phase two development comprised of a 3-storey office building with 31 units and 84 parking spaces.

Background - Analysis

Location

The subject lands shown on Attachments #2 and #3 are located at the southwest corner of Jane Street and Gensal Gate, municipally known as 8760 Jane Street, City of Vaughan. The existing 3-storey office building has been constructed in accordance with the approved site plan shown on Attachment #5.

Site History

The subject lands form part of a larger property that includes 8740 and 8750 Jane Street and was developed in accordance with approved Site Development File DA.07.070, as amended by Site Development File DA.11.066. The owner has proposed to register two separate condominium

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 2, CW Report No. 26 – Page 2

plans on the subject lands. The first condominium plan (File 19CDM-11V005) was approved by Vaughan Council for 8740 and 8750 Jane Street as shown on Attachment #5. Draft Plan of Condominium File 19CDM-13V014 (Attachment #4) creates a second condominium plan over the subject lands (8760 Jane Street), as shown on Attachment #5.

Official Plan

The subject lands are designated “Prestige Employment” by City of Vaughan Official Plan 2010 (VOP 2010), which permits the office development. The draft plan of condominium conforms to the Official Plan.

Zoning:

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(717), which permits the existing 3-storey office building. Minor Variance Application A235/13 was approved by the Vaughan Committee of Adjustment on August 29, 2013, to permit reduced parking requirements on the site. Phase 1 (8740 and 8750 Jane) includes 150 parking spaces and Phase 2 (8760 Jane) includes 84 parking spaces in accordance with the approved Minor Variance Application A235/13.

The Vaughan Building Standards Department has advised that the creation of two condominium plans effectively creates two separate parcels of land resulting in the following technical deficiencies to Zoning By-law 1-88:

Table 1:

	By-law Standard	By-law 1-88, C7 Zone Exception 9(717) and EM1 Zone Requirements (Proposed Draft Plan of Condominium File 19CDM – 13V014)	Provided
a.	Rear Yard Setback to Building “A” (Jane Street)	22.0 m	8.5 m from Jane Street and 8.4 m at the site triangle
b.	Exterior Side Yard Setback to Building “A” (Gensal Gate)	9.0 m	8.5 m from Gensal Gate and 8.4 m at the site triangle
c.	Interior Side Yard Setback to the Entrance Feature for “Building A”	6.0 m	4.67 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 2, CW Report No. 26 – Page 3

	By-law Standard	By-law 1-88, C7 Zone Exception 9(717) and EM1 Zone Requirements (Existing Draft Plan of Condominium File 19CDM - 11V005)	Provided
a.	Interior Side Yard Setback to “Building B” (Along the North and East Corner of the Building)	6.0 m	4.20 m
	By-law Standard	By-law 1-88, C7 Zone Exception 9(717) and EM1 Zone Requirements (Existing Draft Plan of Condominium File 19CDM - 11V005)	Provided
b.	Rear Yard Setback to Building “C” (Romina Drive)	22.0 m	16.29 m
c.	Interior Side Yard Setback to “Building C” (North)	6.0 m	1.19 m

The Planning Department can support the technical variances noted above that are required to implement the proposed (Phase 2) draft plan of condominium and recognize the existing development on the subject lands. The development of the subject lands was approved over the entirety of the site as shown on Attachment #5. The technical variances recognize existing development on the lands relative to the respective condominium plan limits. Prior to final approval of the condominium plan, the owner is required to successfully obtain approval from the Vaughan Committee of Adjustment for the above noted variances and satisfy any conditions imposed by the Committee, and the Committee's decision must be final and binding. A condition to this effect is included in Attachment #1.

In order to ensure that the two condominium corporations continue to function as one property, a condition of approval is included in Attachment #1 requiring the owner to include in the condominium declaration the requirement to provide all necessary reciprocal easements to permit access for all landowners and patrons in each condominium plan to use all parking spaces, aisles and driveways provided on the overall property.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 2, CW Report No. 26 – Page 4

Site Development

The proposed Draft Plan of Condominium shown on Attachment #4 is consistent with approved Site Development File DA.07.070 as amended by File DA.11.066 as shown on Attachment #5. All three buildings (8740, 8750 and 8760 Jane Street) have been constructed.

Garbage/Recycling Collection and Snow Removal + Utilities

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

Canada Post and Bell Canada have provided conditions to be included in the Condominium Agreement, which are identified on Attachment #1 to this report.

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) Plan and Manage Growth & Economic Well - Being
The proposed development implements the City's current Official Plan.

Regional Implications

York Region has no objection to the approval of Draft Plan of Condominium File 19CDM-13V014.

Conclusion

Draft Plan of Condominium File 19CDM-13V014 conforms to the Official Plan and is consistent with the approved Site Development Applications for the existing development on the subject lands, subject to the technical variances identified in this report. The Draft Plan of Condominium will not result in new development on the subject lands. Accordingly, the Planning Department has no objections to the approval of the Draft Plan of Condominium (Standard), subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium File 19CDM-13V014
5. Approved Site Plan File DA.07.070 as amended by File DA.11.066

Report prepared by:

Brandon Correia, Planner I, ext. 8634
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 JUNE 3, 2014

DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-13V014 CRYSTAL CORPORATE CENTRE INC. WARD 4 - VICINITY OF JANE STREET AND GENSAL GATE

Recommendation

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

1. THAT Draft Plan of Condominium (Standard) File 19CDM-13V014 (Crystal Corporate Centre Inc.) BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

This 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

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The subject lands form part of a larger property that includes 8740 and 8750 Jane Street and was developed in accordance with approved Site Development File DA.07.070, as amended by Site Development File DA.11.066. The owner has proposed to register two separate condominium plans on the subject lands. The first condominium plan (File 19CDM-11V005) was approved by Vaughan Council for 8740 and 8750 Jane Street as shown on Attachment #5. Draft Plan of Condominium File 19CDM-13V014 (Attachment #4) creates a second condominium plan over the subject lands (8760 Jane Street), as shown on Attachment #5.

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c.	Interior Side Yard Setback to the Entrance Feature for "Building A"	6.0 m	4.67 m
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In order to ensure that the two condominium corporations continue to function as one property, a condition of approval is included in Attachment #1 requiring the owner to include in the condominium declaration the requirement to provide all necessary reciprocal easements to permit access for all landowners and patrons in each condominium plan to use all parking spaces, aisles and driveways provided on the overall property.

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Garbage/Recycling Collection and Snow Removal + Utilities

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Relationship to Vaughan Vision 2020/Strategic Plan

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i) Plan and Manage Growth & Economic Well - Being

The proposed development implements the City's current Official Plan.

Regional Implications

York Region has no objection to the approval of Draft Plan of Condominium File 19CDM-13V014.

Conclusion

Draft Plan of Condominium File 19CDM-13V014 conforms to the Official Plan and is consistent with the approved Site Development Applications for the existing development on the subject lands, subject to the technical variances identified in this report. The Draft Plan of Condominium will not result in new development on the subject lands. Accordingly, the Planning Department has no objections to the approval of the Draft Plan of Condominium (Standard), subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium File 19CDM-13V014
5. Approved Site Plan File DA.07.070 as amended by File DA.11.066

Report prepared by:

Brandon Correia, Planner I, ext. 8634
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Interim Director of Planning, and
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V014 CRYSTAL CORPORATE CENTRE INC. LOT 12, CONCESSION 5, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM FILE 19CDM-13V014, 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 #07-113, dated November 18, 2013.
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. Prior to final approval of the Condominium Plan, the owner shall successfully obtain approval from the Vaughan Committee of Adjustment for the technical variances identified in the Committee of the Whole report from the Commissioner of Planning of June 3, 2014, and the Committee's decision shall be final and binding and the owner shall satisfy any conditions imposed by the Committee.
4. 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 that may be outstanding from the site plan process.
5. 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; and
 - b) snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the condominium corporation.
6. The condominium agreement shall be registered on title against the lands to which it applies, at the cost of the owner.
7. Prior to final approval, the owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
8. 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.
9. 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 Finance Department.

10. The owner and their solicitor shall include in Schedule "A" to the Condominium Declaration all necessary and appropriate reciprocal easements for the use and maintenance of all on-site services, support facilities, pedestrian and vehicular access and shared parking over the common elements of the Draft Plan of Condominium and the adjoining Phase 1 as may be required to the satisfaction of the City of Vaughan. This condition is issued pursuant to Subsection 20(2)(b) of the Condominium Act, 1998. The owner shall provide a copy of the Condominium Declaration to the City of Vaughan and the Condominium Declaration shall be to the satisfaction of the City of Vaughan, prior to final approval.

Canada Post Conditions

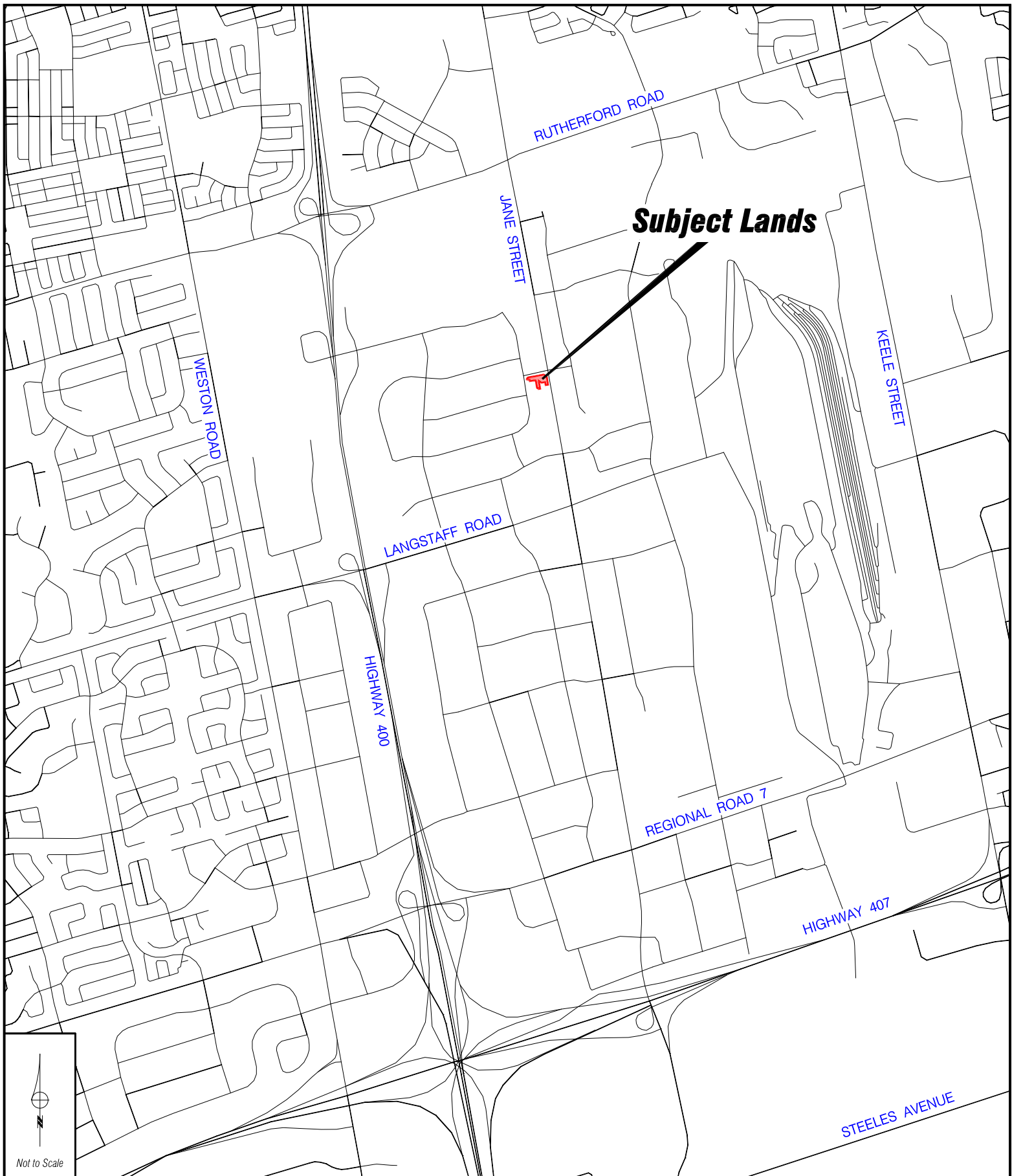
11. The owner shall address the following conditions of Canada Post:
- a) the owner shall include in all offers of sale, a statement which advises the Prospective unit owner or renter that mail delivery will be from a designated community mailbox;
 - b) the owner will be responsible for notifying the renter/owner of the exact community mailbox locations prior to the closing of any lease;
 - c) the owner will consult with Canada Post to determine suitable locations for the placement of a community mailbox and to indicate these locations on the appropriate servicing plan;
 - d) the owner will provide the following for each community mailbox site and include these requirements on the appropriate servicing plans:
 - i. an appropriately sized walkway section (concrete pad) as per municipal standards, to place the community mailboxes on;
 - ii. any required walkway across the boulevard, as per municipal standards; and,
 - iii. any required curb depressions for wheelchair access;
 - e) The owner further agrees to determine and provide a suitable temporary community mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalk and final grading have been completed at the permanent community box location(s). This will enable Canada Post to provide mail delivery to new owners as soon as the units are occupied.

Bell Canada Condition

12. 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.

Clearances

13. The Vaughan Planning Department shall advise that Conditions 1 to 10 have been satisfied.
14. Canada Post shall advise in writing to the Vaughan Planning Department that Condition 11 has been satisfied.
15. Bell Canada shall advise in writing to the Vaughan Planning Department that Condition 12 has been satisfied.



Context Location Map

LOCATION:
Part of Lot 12, Concession 5

APPLICANT:
Crystal Corporate Centre Inc.

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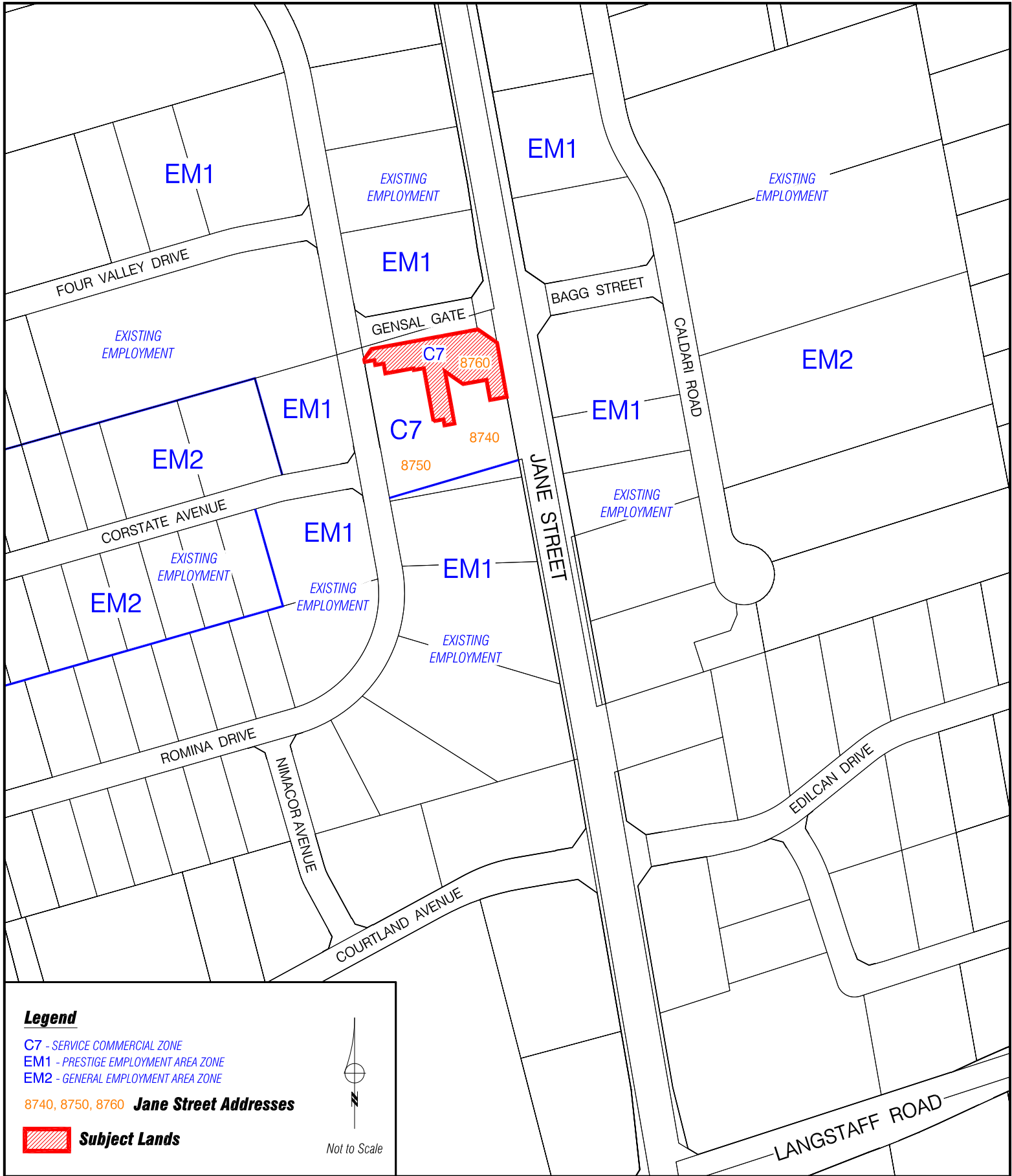
Development Planning Department

Attachment

FILE: 19CDM-13V014
RELATED FILE: 19CDM-11V005

DATE:
June 3, 2014

2



Location Map

LOCATION:
Part of Lot 12, Concession 5

APPLICANT:
Crystal Corporate Centre Inc.

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Development Planning Department

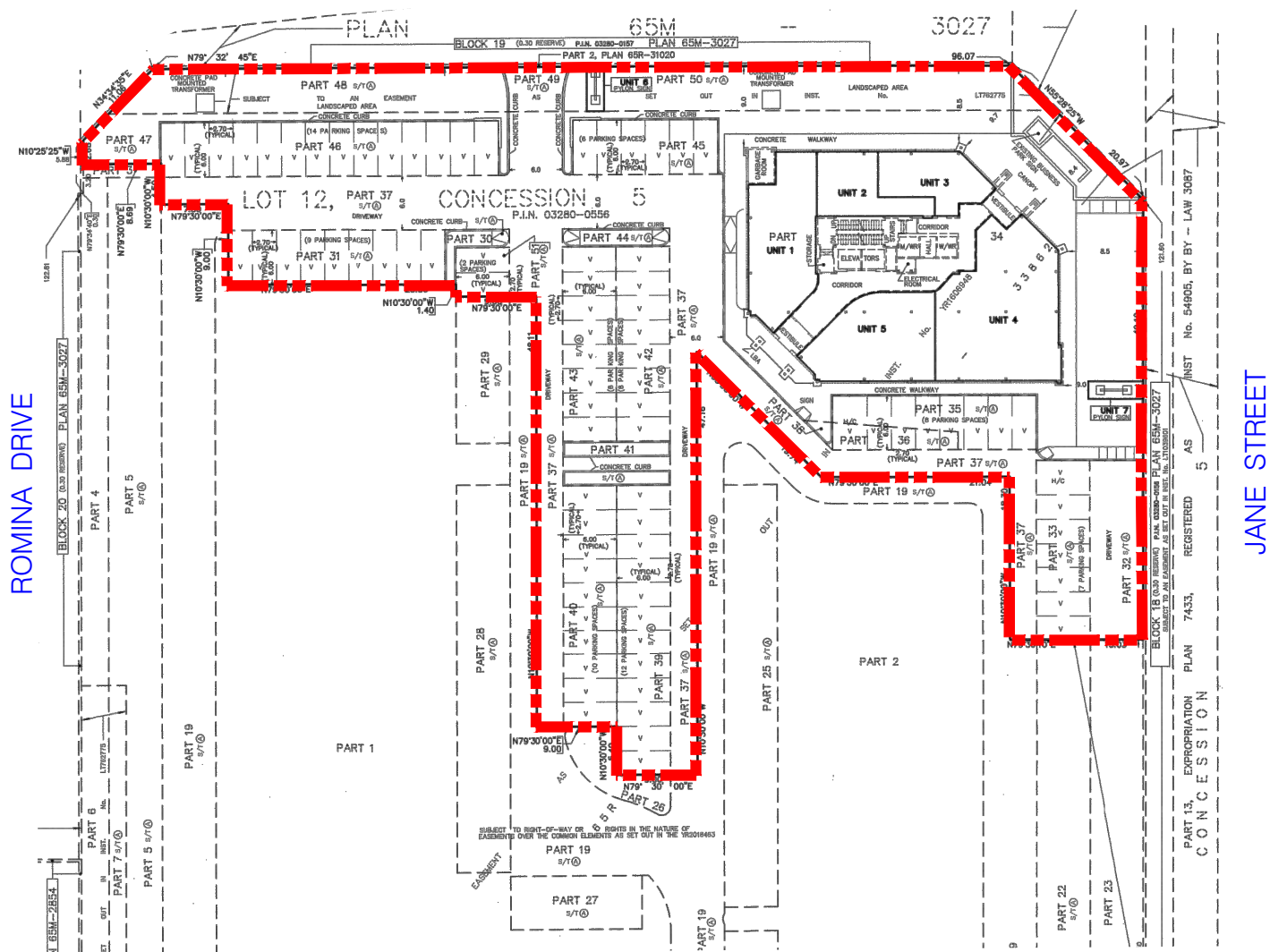
Attachment

FILE: 19CDM-13V014
RELATED FILE: 19CDM-11V005

DATE:
June 3, 2014

3

GENSAL GATE



Not to Scale

Subject Lands

Draft Plan of Condominium
(Standard) File 19CDM-13V014

APPLICANT:
Crystal Corporate Centre Inc.

LOCATION:
Part of Lot 12, Concession 5



Development Planning Department

Attachment

FILE: 19CDM-13V014
RELATED FILE:
19CDM-11V005

DATE:
June 3, 2014

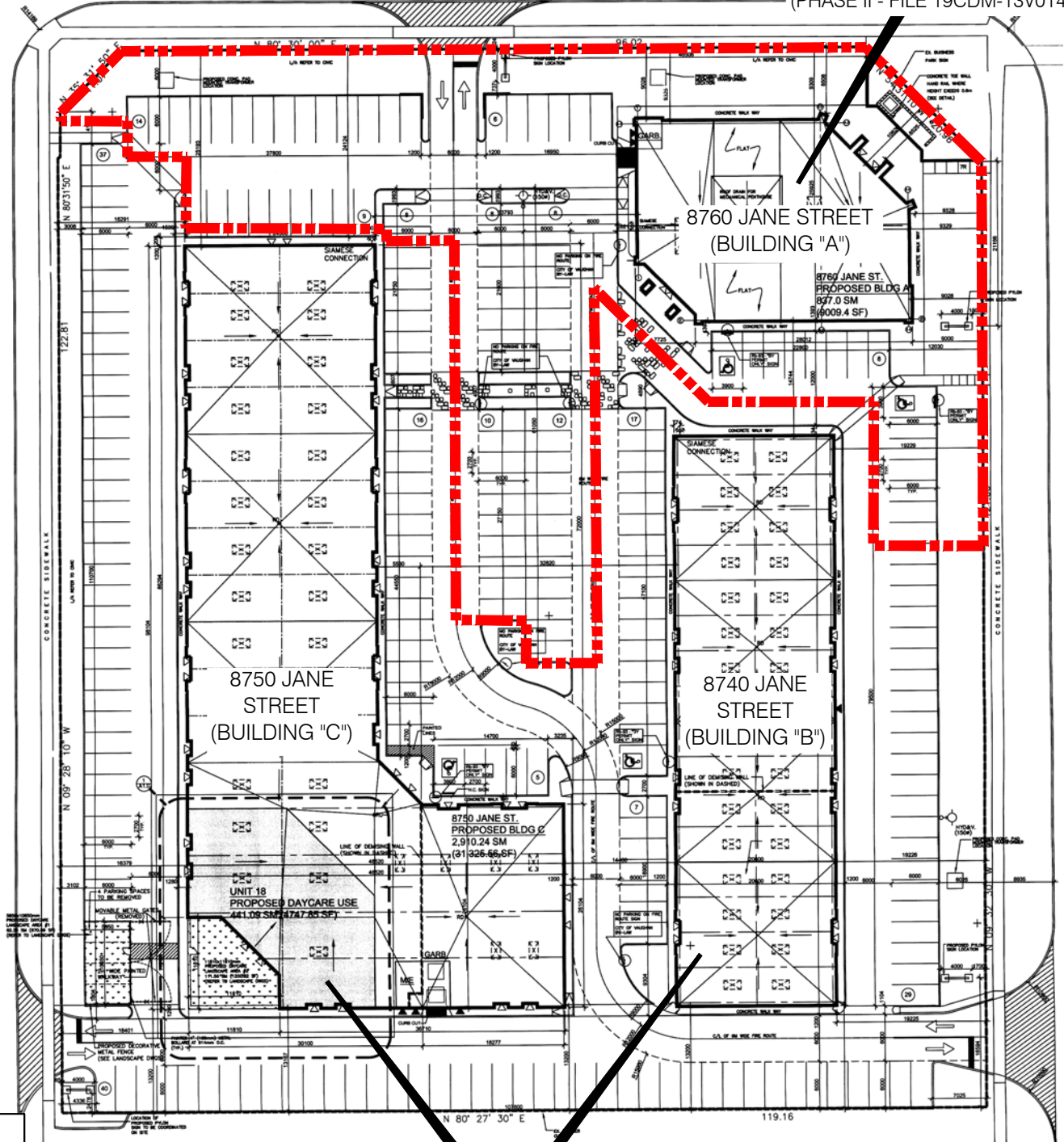
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GENSAL GATE

EXISTING 3-STORY
OFFICE BUILDING
(PHASE II - FILE 19CDM-13V014)

ROMINA DRIVE

JANE STREET



EXISTING MULTI-UNIT SERVICE
COMMERCIAL BUILDINGS
(PHASE I - FILE 19CDM-11V005)

Subject Lands

Approved Site Plan File DA.07.070
as amended by File DA.11.066

APPLICANT:
Crystal Corporate Centre Inc.

LOCATION:
Part of Lot 12, Concession 5

Development Planning Department

Attachment
FILE: 19CDM-13V014
RELATED FILE:
19CDM-11V005
DATE: June 3, 2014

5