

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 19, 2013

Item 6, Report No. 47, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 19, 2013.

6

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V009
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V010
MINTO YONGE AND ARNOLD INC.
WARD 5 - VICINITY OF YONGE STREET AND ARNOLD AVENUE**

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 November 5, 2013:

Recommendation

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

1. THAT Draft Plan of Condominium (Standard – Commercial) File 19CDM-13V009 (Minto Yonge and Arnold Inc.) for the ground floor commercial units only shown on Attachments #5 and #7, BE APPROVED, subject to the conditions set out in Attachment #1.
2. THAT Draft Plan of Condominium (Standard – Residential) File 19CDM-13V010 (Minto Yonge and Arnold Inc.) for the residential units only shown on Attachments #5, #6 and #7, BE APPROVED, subject to the conditions set out in Attachment #2.

Contribution to Sustainability

These proposals address the tenure of the property only, and therefore, there is no contribution to sustainability through these applications.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted the following Draft Plan of Condominium applications on the subject lands shown on Attachments #3 and #4, for a tiered four to six-storey apartment building (currently under construction) consisting of 212 residential units and 5 commercial units served by a total of 305 parking spaces (252 residential, 33 residential visitor, and 20 commercial), as shown on Attachments #5 to #7 inclusive:

1. Draft Plan of Condominium (Standard) File 19CDM-13V009 (Minto Yonge and Arnold Inc.) for the commercial component of the development that includes Units #1 - #4 inclusive located on the ground floor of the apartment building and Unit #5 located within the existing Robert Cox Heritage House, totaling 952 m² and with 20 commercial parking spaces (Units #1 - #20 inclusive on Attachment #7; and,
2. Draft Plan of Condominium (Standard) File 19CDM-13V010 (Minto Yonge and Arnold Inc.) for the residential component of the development consisting of 212 residential units with 285 parking spaces (252 residential parking spaces and 33 visitor parking spaces).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 19, 2013

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Background - Analysis and Options

The subject lands are located on the west side of Yonge Street, north of Arnold Avenue, municipally known as 7608, 7610 and 7616 Yonge Street. The surrounding land uses are shown on Attachment #4.

Official Plan and Zoning

The subject lands are designated “Mixed Commercial & Residential Area” by in-effect OPA #210 (Thornhill Community Plan), as amended by site-specific OPA #700, which only permits an apartment building with at-grade commercial uses; and, the existing heritage structure known as the Robert Cox House for commercial uses only. The maximum building height permitted is 6-storeys stepped-back a minimum of 1.5m from the building frontage along Yonge Street for at least 75% of that frontage and stepped back a minimum of 3.5m from the Robert Cox House. The building west of the existing Robert Cox House is permitted to have a maximum building height of 4-storeys. Site Development File DA.08.024 was approved with the above-noted building heights and conforms to the in-effect Official Plan #700. The Draft Plan of Condominium also conforms to the in-effect Official Plan.

The subject lands are designated “Mid-Rise Mixed-Use” with a maximum permitted building height of 5-storeys and a maximum density of 2.0 FSI (Floor Space Index) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 28, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013. The Draft Plan of Condominium proposal does not conform with the maximum 5-storey building height. However, the development is being constructed under the in-effect Official Plan (OPA #700) that was approved by the Ontario Municipal Board in 2010.

The subject lands are zoned RA3 Apartment Residential Zone by Zoning By-law 1-88, subject to Exception 9(1150). The proposal complies with Zoning By-law 1-88.

Site Development

Site Development File DA.08.024 was approved by the Ontario Municipal Board (OMB) on July 29, 2010, and is comprised of a 4 to 6-storey mixed-use building with 218 residential apartment units, 725 m² of commercial gross floor area on the ground floor (Units #1 – #4 inclusive) and 227 m² of commercial gross floor area in the existing heritage dwelling known as the Robert Cox House (Unit #5) as shown on Attachments #5 to #7 inclusive. Vehicular access to the site is from a full movement driveway on Arnold Avenue with a right-out driveway onto Yonge Street. The development is served by 305 parking spaces, comprised of 285 residential (252 resident and 33 visitor spaces) and 20 commercial parking spaces within two levels of underground parking, as shown on Attachment #7. The Draft Plan of Condominium shown on Attachments #5 to #7 is consistent with approved Site Plan File DA.08.024.

Heritage Conservation Easement Agreement

The Owner has entered into a Heritage Conservation Easement Agreement with the City of Vaughan. This agreement requires that the “Robert Cox House” be included within the Condominium Declaration and that the Condominium Corporation agrees to assume responsibility for the lands. A condition to this effect has been included in Attachments #1 and #2 attached hereto.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 19, 2013

Item 6, CW Report No. 47 – Page 3

Garbage/Recycling Collection and Snow Removal

The collection of garbage and recycling (3-stream) and the removal of snow will be privately administered by the Condominium Corporation.

Canada Post

Canada Post has no objections to the proposal. The Owner must satisfy Canada Post's condition set out in Attachments #1 and #2.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

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

ii) Plan and Manage Growth and Economic Vitality

The proposal implements the City's current Official Plan and the Growth Management Strategy as set out in Vaughan Official Plan 2010.

Regional Implications

The Region of York has no objection to the approval of Draft Plan of Condominium Files 19CDM-13V009 and 19CDM-13V010. The Owner must satisfy the Region's conditions as set out in Attachments #1 and #2.

Conclusion

The Vaughan Development Planning Department has reviewed Draft Plan of Condominium Files 19CDM-13V009 (commercial) and 19CDM-13V010 (residential), which conform to in-effect OPA #210 (Thornhill Community Plan) as amended by site-specific OPA #700. The proposed Draft Plans of Condominium are consistent with Zoning By-law 1-88, and with approved Site Development File DA.08.024. Accordingly, the Development Planning Department has no objection to the approval of the Draft Plans of Condominium, subject to the conditions set out in Attachments #1 and #2.

Attachments

1. Conditions of Approval 19CDM-13V009 (Commercial)
2. Conditions of Approval 19CDM-13V010 (Residential)
3. Context Location Map
4. Location Map
5. Ground Level Plan
6. Levels 2 to 6 Plan
7. Underground Parking Plan

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 19, 2013

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Report prepared by:

Margaret Holyday, Planner, ext. 8216

Christina Napoli, Senior Planner, ext. 8483

Mauro Peverini, Manager of Development Planning, ext. 8407

(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 NOVEMBER 5, 2013

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V009 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V010 MINTO YONGE AND ARNOLD INC. WARD 5 - VICINITY OF YONGE STREET AND ARNOLD AVENUE

Recommendation

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

1. THAT Draft Plan of Condominium (Standard – Commercial) File 19CDM-13V009 (Minto Yonge and Arnold Inc.) for the ground floor commercial units only shown on Attachments #5 and #7, BE APPROVED, subject to the conditions set out in Attachment #1.
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Contribution to Sustainability

These proposals address the tenure of the property only, and therefore, there is no contribution to sustainability through these applications.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted the following Draft Plan of Condominium applications on the subject lands shown on Attachments #3 and #4, for a tiered four to six-storey apartment building (currently under construction) consisting of 212 residential units and 5 commercial units served by a total of 305 parking spaces (252 residential, 33 residential visitor, and 20 commercial), as shown on Attachments #5 to #7 inclusive:

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Background - Analysis and Options

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Official Plan and Zoning

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Garbage/Recycling Collection and Snow Removal

The collection of garbage and recycling (3-stream) and the removal of snow will be privately administered by the Condominium Corporation.

Canada Post

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Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

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

ii) Plan and Manage Growth and Economic Vitality

The proposal implements the City's current Official Plan and the Growth Management Strategy as set out in Vaughan Official Plan 2010.

Regional Implications

The Region of York has no objection to the approval of Draft Plan of Condominium Files 19CDM-13V009 and 19CDM-13V010. The Owner must satisfy the Region's conditions as set out in Attachments #1 and #2.

Conclusion

The Vaughan Development Planning Department has reviewed Draft Plan of Condominium Files 19CDM-13V009 (commercial) and 19CDM-13V010 (residential), which conform to in-effect OPA #210 (Thornhill Community Plan) as amended by site-specific OPA #700. The proposed Draft Plans of Condominium are consistent with Zoning By-law 1-88, and with approved Site Development File DA.08.024. Accordingly, the Development Planning Department has no objection to the approval of the Draft Plans of Condominium, subject to the conditions set out in Attachments #1 and #2.

Attachments

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6. Levels 2 to 6 Plan
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Report prepared by:

Margaret Holyday, Planner, ext. 8216

Christina Napoli, Senior Planner, ext. 8483

Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/LG

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V009 (STANDARD-COMMERCIAL) MINTO YONGE AND ARNOLD INC. PART OF LOT 29, CONCESSION 1, 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-13V009, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by R. Avis Surveying Inc., Drawing No. 2677-ODP1, dated July 19, 2013.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Vaughan Development 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.
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; 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.
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 Finance Department.
9. Prior to final approval, the Owner shall provide a copy of the Condominium Declaration to the Vaughan Development Planning Department that shall satisfy Section 12.5.4 of the Heritage Easement Agreement.

Canada Post Condition

10. Prior to final approval, a centralized mail receiving facility shall be provided and maintained by the Owner/Condominium Corporation in order for Canada Post to provide mail service to the tenants of these buildings.

Region of York Condition

11. Prior to final approval, the Owner shall certify that the conditions of approval provided in Regional Site Plan File No. SP-V-029-08 have been met to the satisfaction of the Region of York Transportation and Community Planning Department. This includes a site inspection with Regional Staff to review the as-constructed conditions.

Clearances

12. The City of Vaughan (Vaughan Development Planning Department) shall advise that Conditions 1 to 9 have been satisfied.
13. Canada Post shall advise the Vaughan Development Planning Department in writing that Condition 10 has been satisfied.
14. The Region of York Transportation and Community Planning Department shall advise the Vaughan Development Planning Department in writing that Condition 11 has been satisfied.

ATTACHMENT NO. 2

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V010 (STANDARD-RESIDENTIAL)
MINTO YONGE AND ARNOLD INC.
PART OF LOT 29, CONCESSION 1, 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-13V010, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by R. Avis Surveying Inc., Drawing No. 2677-ODP1, dated July 19, 2013.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Vaughan Development Planning Department.
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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; 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.
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 Finance Department.
9. Prior to final approval, the Owner shall provide a copy of the Condominium Declaration to the Vaughan Development Planning Department that shall satisfy Section 12.5.4 of the Heritage Easement Agreement.

Canada Post Condition

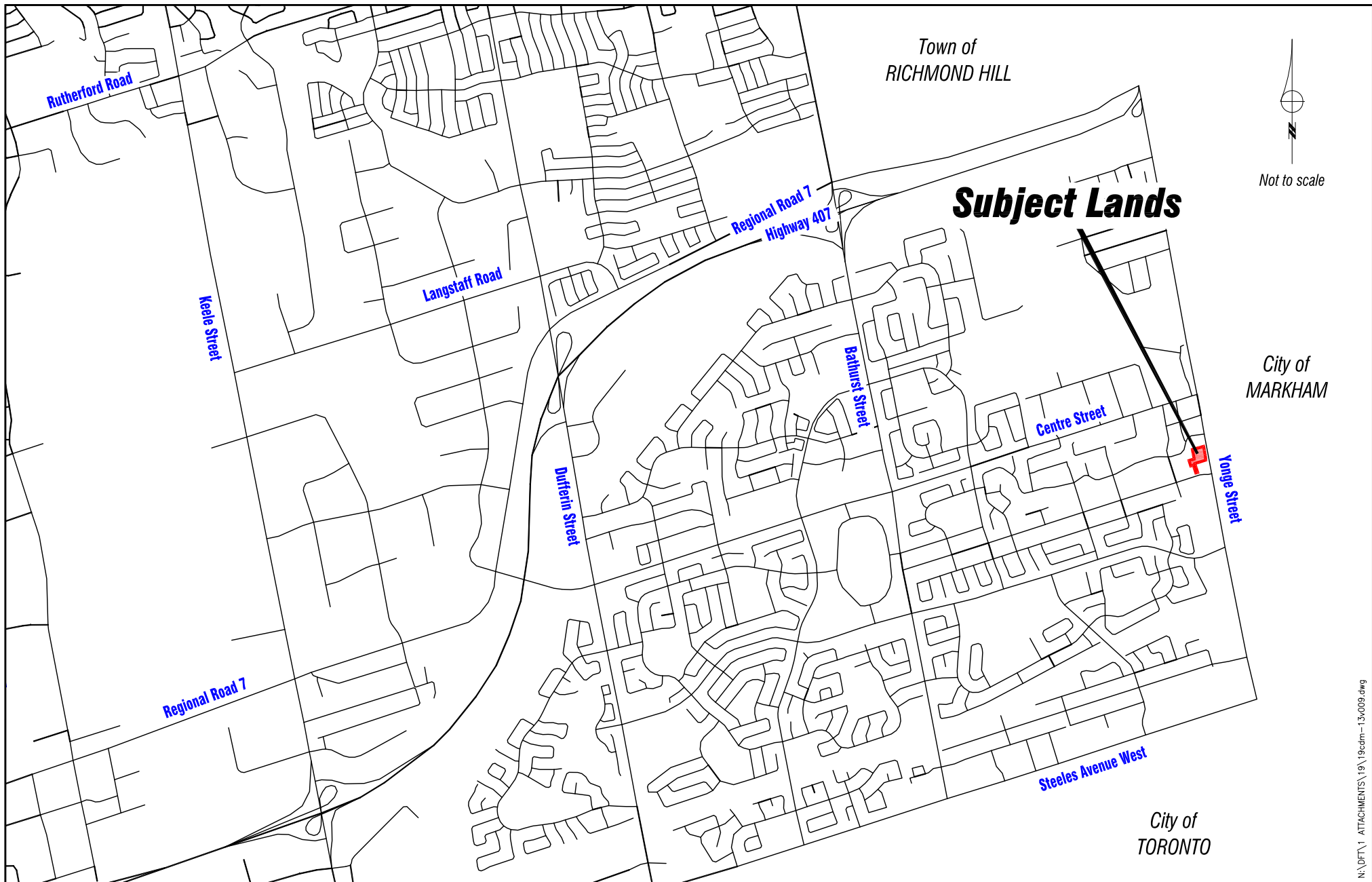
10. Prior to final approval, a centralized mail receiving facility shall be provided and maintained by the Owner/Condominium Corporation in order for Canada Post to provide mail service to the tenants of these buildings.

Region of York Conditions

11. Prior to registration, York Region shall advise that all requirements of the “Sustainable Development Through LEED®” Program have been met or where the required LEED® Certification from the Canada Green Building Council is still pending, that:
 - a. the Owner has posted a Letter of Credit in accordance with the terms of the Program Agreement, and
 - b. the Owner’s LEED® Accredited Professional has confirmed in writing that a completed application has been submitted to the Canada Green Building Council for the required LEED® Certification.
12. The Declarant shall agree in the Condominium Declaration that the approved landscape plan and associated water conservation measures regarding irrigation shall not be altered or operated in a manner that results in a greater demand for potable water.
13. The Declarant shall agree in the Condominium Declaration that the water efficient plumbing fixtures originally installed in the building shall only be replaced with equivalent or more water efficient fixtures. This requirement should be re-stated in the Condominium Rules.
14. The Declarant shall agree in the Condominium Declaration that only Energy Star Qualified washing machines and dishwashers shall be used within the building. This requirement should be re-stated in the Condominium Rules.
15. The Declarant shall agree in the Condominium Declaration that each residential unit within the development shall be billed for potable water based on the amount of water used by the unit in accordance with the unit’s individual water meter(s).
16. The Declarant shall agree in the Condominium Declaration that the Condominium Corporation shall provide York Region with water usage data for individual units as well as for the building as a whole. The data shall be provided on an annual basis for a period of 5 years, with the provision of the first data set occurring one year from the time that at least 75% of the residential units within the building are occupied, or earlier if requested by York Region.
17. The Declarant shall agree in the Condominium Declaration that solid waste shall be collected in accordance with the Three Stream Waste Management Collection Plan approved under the “Sustainable Development Through LEED®” Program.
18. The Declarant shall agree in the Condominium Declaration to implement the Resident Education Plan regarding three stream waste management, approved under the “Sustainable Development Through LEED®” Program.
19. The Declarant shall agree in the Condominium Declaration that if the building is receiving waste management collection services from a private contractor, the Corporation shall provide York Region with a certificate or letter (signed by a company official) confirming that the material will be appropriately recycled and/or composted in accordance with the approved three stream waste management plan.
20. Prior to registration, the Owner shall submit an executed copy of the Condominium Declaration to the Transportation and Community Planning Department.
21. Prior to final approval, the Owner shall certify that the conditions of approval provided in Regional Site Plan File No. SP-V-029-08 have been met to the satisfaction of the Transportation and Community Planning Department. This includes a site inspection with Regional staff to review the as-constructed conditions.

Clearances

22. The City of Vaughan (Vaughan Development Planning Department) shall advise that Conditions 1 to 9 have been satisfied.
23. Canada Post shall advise the Vaughan Development Planning Department in writing that Condition 10 has been satisfied.
24. The Region of York Transportation and Community Planning Department shall advise the Vaughan Development Planning Department in writing that Conditions 11 to 21 have been satisfied.



N:\DFT\1 ATTACHMENTS\19\19cdm-13v009.dwg

Context Location Map

LOCATION:
Part of Lot 29, Concession1

APPLICANT:
Minto Yonge and Arnold Inc.

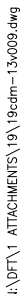


Attachment

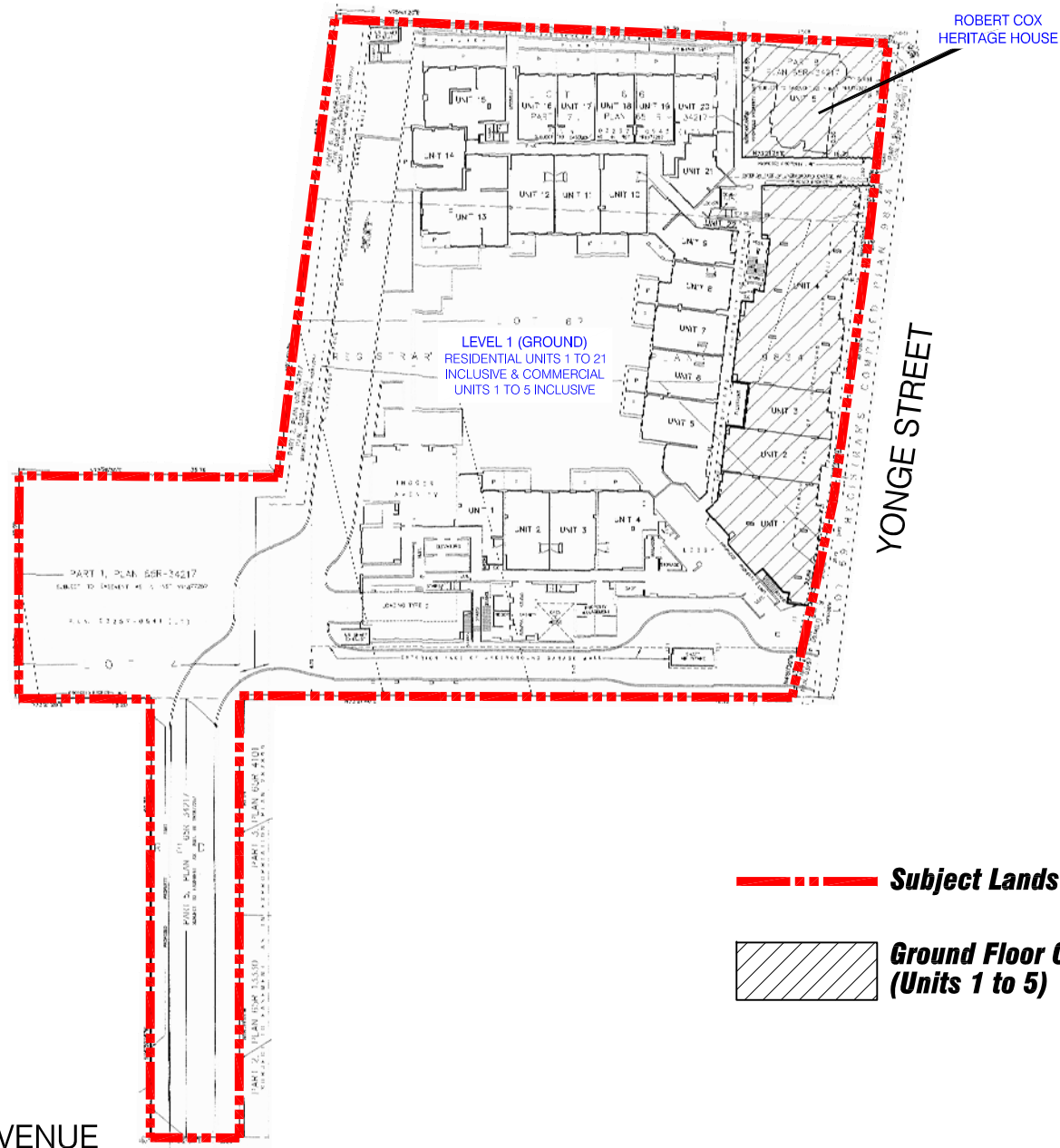
FILE: 19CDM-13V009 & 19CDM-13V010
RELATED FILES: Z.05.011 & DA.08.024

DATE:
November 05, 2013

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APPLICANT:
Minto Yonge and Arnold Inc.



ARNOLD AVENUE

YONGE STREET

Subject Lands

**Ground Floor Commercial
(Units 1 to 5)**

Ground Level Plan

LOCATION:
Part of Lot 29, Concession 1

APPLICANT:
Minto Yonge and Arnold Inc.



Attachment

FILE: 19CDM-13V009 & 19CDM-13V010
RELATED FILES: Z.05.011 & DA.08.024

DATE:
November 05, 2013

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Levels 2 to 6 Plan

LOCATION:
Part of Lot 29, Concession 1

APPLICANT:
Minto Yonge and Arnold Inc.

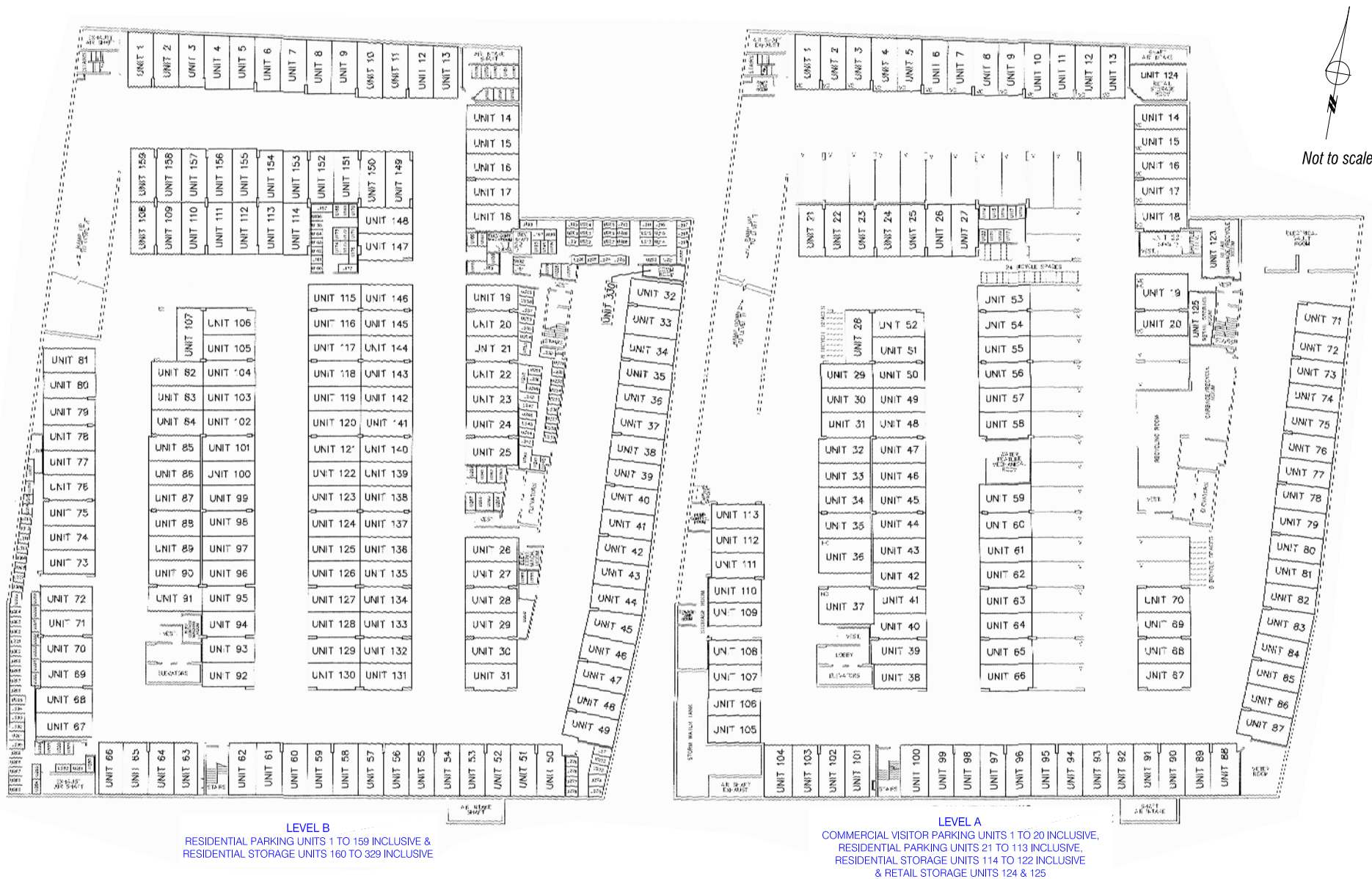


Attachment

FILE: 19CDM-13V009 & 19CDM-13V010
RELATED FILES: Z.05.011 & DA.08.024

DATE:
November 05, 2013

6



Underground Parking Plan

LOCATION:
Part of Lot 29, Concession 1

APPLICANT:
Minto Yonge and Arnold Inc.



FILE: 19CDM-13V009 & 19CDM-13V010
RELATED FILES: Z.05.011 & DA.08.024

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