

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 21, 2017**

Item 2, Report No. 39, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 21, 2017.

**2                      DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-16V008  
                            MARKET LANE HOLDINGS INC.  
                            WARD 2 - VICINITY OF WOODBRIDGE AVENUE AND CLARENCE STREET**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, Director of Development Planning and Senior Manager of Development Planning, dated November 7, 2017:

**Recommendation**

The City Manager, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-16V008 (Market Lane Holdings Inc.) BE APPROVED as shown on Attachments #4 to #6, subject to the Conditions of Draft Approval set out in Attachment #1.

**Contribution to Sustainability**

The subject lands are currently under construction and being developed in accordance with Site Development File DA.14.081, which was approved by Vaughan Council on June 23, 2015 (Attachment #7). The contribution to sustainability was identified in the Site Development report.

**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-16V008, for the subject lands shown on Attachments #2 and #3, to permit the proposed condominium tenure for a building with 6 residential storeys, containing 58 dwelling units and 84 parking spaces, of which 14 parking spaces are identified for visitor parking, as shown on Attachments #4 to #6. The proposed development is part of the Market Lane Commercial complex sharing, parking, pedestrian and vehicular access.

**Background - Analysis and Options**

**Location**

The subject lands are located on the north side of Woodbridge Avenue, west of Clarence Street and are municipally known as 112 and 116 Woodbridge Avenue, shown on Attachments #2 and #3. The surrounding land uses are shown on Attachment #3.

**Official Plan**

The lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 (VOP 2010),

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 21, 2017

#### Item 2, CW Report No. 39 – Page 2

Volume 2- Woodbridge Centre Secondary Plan (WCSP), which permits a mixed-use development comprised of a building with 6 residential storeys and a maximum floor space index of 1.8 times the area of the lot. The subject lands form part of the Market Lane Commercial complex which has shared pedestrian and vehicular access. The proposed Draft Plan of Condominium application conforms to the policies of VOP 2010.

#### Zoning

The subject lands are zoned RA3 Apartment Residential Zone, by Zoning By-law 1-88 as amended by By-law 142-2015, subject to site-specific Exception 9(1427), which permits a 6-storey building having a maximum of 69 dwelling units and 84 parking spaces, of which 14 parking spaces are identified for visitor parking. Based on the current review of the Draft Plan of Condominium application the following exceptions have been identified by Building staff:

- Front yard setback of 1.1 m instead of the required 1.3 m

In addition, the applicant has also requested that he proposes to reduce one parking space stall size, enclose two parking spaces with overhead garage doors and reduce the required minimum parking requirement, and to introduce a rooftop hot tub, exclusive to specific unit owners, as such the following additional variances are required:

- 1 parking stall size 2.6 m x 5.36 m, instead of the 2.6 m x 5.7 m requirement (small car parking space)
- 2 enclosed parking stalls, size of 2.6 m x 5.6 m, whereas 2.6 m x 5.7 m is required
- Garage enclosure interior dimensions of 5.2 m x 5.6 m, whereas a 3 m x 6 m interior garage dimension is required.
- Permit a hot tub on the rooftop patio, whereas the by-law permits it in the rear yard only.
- Permit a minimum of 82 parking spaces.

Planning Staff have no objection to the 1.1 m front yard setback as it applies to only one point on the building and is the result of additional architectural treatment to an architectural column. The reduction in the parking stall sizes and interior garage dimensions are acceptable to both Engineering Staff and Planning Staff, provided the reduced size of the 3 parking spaces are over and beyond the parking requirement (not counted toward the required parking), that they are identified with appropriate signage, and that the appropriate disclosure clause is included in the condominium declaration. The reduction in the overall parking requirement 82 spaces is also supportable as it represents a surplus of 12 spaces. The hot tub is setback far enough that it cannot be seen from the street and will not have adverse impact on the neighbouring properties, or to the overall rooftop amenity area.

The applicant has submitted an application to the Committee of Adjustment for Minor Variance application A251/17 to obtain relief from the By-law provisions for the above noted variances, which was approved by the Committee of Adjustment on September 14, 2017 subject to conditions. As a condition of draft approval, Minor Variance application A251/17 must be final and binding and the appropriate warning clauses be included in the condominium declaration regarding the smaller parking stall size.

If approved the Owner shall update the pre-registered plan of condominium to reflect the changes resulting from Minor Variance application A251/17.

#### Site Plan

The proposed Draft Plan of Condominium shown on Attachments #4 to #6 is generally consistent

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 21, 2017**

#### Item 2, CW Report No. 39 – Page 3

with Site Development File DA.14.081, which was approved by Vaughan Council on June 23, 2015. The site is currently under construction. The proposed parking to be provided for the development is 84 parking spaces. These parking spaces were based on the original proposal which contained 69 residential units. Although the number of units have been reduced to 58 units, the number of parking spaces have been maintained which result in a surplus of 14 parking spaces.

As the Owner proposes to revise the underground parking level to facilitate the small car parking area, enclosure of two parking spaces, introduce a rooftop hot tub and new lighting plan for the development a minor site plan amendment to approved Site Plan DA.14.081 is required. The new lighting plan is required as new fixtures (LED Lighting) were required to be implemented. The new lighting plan has been reviewed and approved by Staff.

#### Bell Canada

Bell Canada has advised that they have no objection to the proposed development, subject to the conditions set out in Attachment #1.

#### Enbridge Gas

Enbridge Gas has no objection to the proposed condominium application, subject to their conditions set out in Attachment #1.

#### Canada Post

Canada Post has no objections to the proposed condominium application subject to their conditions set out in Attachment #1.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has no objections to the proposed condominium application subject to the condition set out in Attachment #1.

#### Financial Planning and Development Finance Department

This Department has no objections to the condominium application subject to their conditions set out in Attachment #1.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report supports the following priority set forth in Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to cultivate and environmentally sustainable City

#### **Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department, any conditions will be included in the Condominium Agreement.

#### **Conclusion**

The proposed Draft Plan of Condominium (Standard) File 19CDM-16V008 conforms to the Official Plan, VOP 2010, Zoning By-law 1-88 (once A251/17 is full and binding), the approved Site

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 21, 2017**

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Development File DA.14.081, and with the comments from the City Departments and external agencies. Accordingly, the Development Planning Department is satisfied that the proposed condominium tenure of the subject lands is appropriate and compatible with the surrounding area, conforms to the Official Plan and generally complies to the site-specific Zoning By-law 142-2015, save and except for minor variances identified in A251/17, and therefore, has no objections 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. Draft Plan of Condominium (File 19CDM-16V008)
5. Condominium Plan - Levels 2-5 Plan
6. Condominium Plan - Levels 6A and 7
7. Site Plan (File DA.14.081)

**Report prepared by:**

Eugene Fera, Senior Planner, ext. 8003

(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 7, 2017**

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-16V008  
MARKET LANE HOLDINGS INC.  
WARD 2 - VICINITY OF WOODBRIDGE AVENUE AND CLARENCE STREET**

**Recommendation**

The City Manager, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-16V008 (Market Lane Holdings Inc.) BE APPROVED as shown on Attachments #4 to #6, subject to the Conditions of Draft Approval set out in Attachment #1.

**Contribution to Sustainability**

The subject lands are currently under construction and being developed in accordance with Site Development File DA.14.081, which was approved by Vaughan Council on June 23, 2015 (Attachment #7). The contribution to sustainability was identified in the Site Development report.

**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-16V008, for the subject lands shown on Attachments #2 and #3, to permit the proposed condominium tenure for a building with 6 residential storeys, containing 58 dwelling units and 84 parking spaces, of which 14 parking spaces are identified for visitor parking, as shown on Attachments #4 to #6. The proposed development is part of the Market Lane Commercial complex sharing, parking, pedestrian and vehicular access.

**Background - Analysis and Options**

**Location**

The subject lands are located on the north side of Woodbridge Avenue, west of Clarence Street and are municipally known as 112 and 116 Woodbridge Avenue, shown on Attachments #2 and #3. The surrounding land uses are shown on Attachment #3.

**Official Plan**

The lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 (VOP 2010), Volume 2- Woodbridge Centre Secondary Plan (WCSP), which permits a mixed-use development comprised of a building with 6 residential storeys and a maximum floor space index of 1.8 times the area of the lot. The subject lands form part of the Market Lane Commercial complex which has shared pedestrian and vehicular access. The proposed Draft Plan of Condominium application conforms to the policies of VOP 2010.

## Zoning

The subject lands are zoned RA3 Apartment Residential Zone, by Zoning By-law 1-88 as amended by By-law 142-2015, subject to site-specific Exception 9(1427), which permits a 6-storey building having a maximum of 69 dwelling units and 84 parking spaces, of which 14 parking spaces are identified for visitor parking. Based on the current review of the Draft Plan of Condominium application the following exceptions have been identified by Building staff:

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- Permit a hot tub on the rooftop patio, whereas the by-law permits it in the rear yard only.
- Permit a minimum of 82 parking spaces.

Planning Staff have no objection to the 1.1 m front yard setback as it applies to only one point on the building and is the result of additional architectural treatment to an architectural column. The reduction in the parking stall sizes and interior garage dimensions are acceptable to both Engineering Staff and Planning Staff, provided the reduced size of the 3 parking spaces are over and beyond the parking requirement (not counted toward the required parking), that they are identified with appropriate signage, and that the appropriate disclosure clause is included in the condominium declaration. The reduction in the overall parking requirement 82 spaces is also supportable as it represents a surplus of 12 spaces. The hot tub is setback far enough that it cannot be seen from the street and will not have adverse impact on the neighbouring properties, or to the overall rooftop amenity area.

The applicant has submitted an application to the Committee of Adjustment for Minor Variance application A251/17 to obtain relief from the By-law provisions for the above noted variances, which was approved by the Committee of Adjustment on September 14, 2017 subject to conditions. As a condition of draft approval, Minor Variance application A251/17 must be final and binding and the appropriate warning clauses be included in the condominium declaration regarding the smaller parking stall size.

If approved the Owner shall update the pre-registered plan of condominium to reflect the changes resulting from Minor Variance application A251/17.

## Site Plan

The proposed Draft Plan of Condominium shown on Attachments #4 to #6 is generally consistent with Site Development File DA.14.081, which was approved by Vaughan Council on June 23, 2015. The site is currently under construction. The proposed parking to be provided for the development is 84 parking spaces. These parking spaces were based on the original proposal which contained 69 residential units. Although the number of units have been reduced to 58 units, the number of parking spaces have been maintained which result in a surplus of 14 parking spaces.

As the Owner proposes to revise the underground parking level to facilitate the small car parking area, enclosure of two parking spaces, introduce a rooftop hot tub and new lighting plan for the development a minor site plan amendment to approved Site Plan DA.14.081 is required. The new lighting plan is required as new fixtures (LED Lighting) were required to be implemented. The new lighting plan has been reviewed and approved by Staff.

#### Bell Canada

Bell Canada has advised that they have no objection to the proposed development, subject to the conditions set out in Attachment #1.

#### Enbridge Gas

Enbridge Gas has no objection to the proposed condominium application, subject to their conditions set out in Attachment #1.

#### Canada Post

Canada Post has no objections to the proposed condominium application subject to their conditions set out in Attachment #1.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has no objections to the proposed condominium application subject to the condition set out in Attachment #1.

#### Financial Planning and Development Finance Department

This Department has no objections to the condominium application subject to their conditions set out in Attachment #1.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report supports the following priority set forth in Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to cultivate and environmentally sustainable City

#### **Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department, any conditions will be included in the Condominium Agreement.

#### **Conclusion**

The proposed Draft Plan of Condominium (Standard) File 19CDM-16V008 conforms to the Official Plan, VOP 2010, Zoning By-law 1-88 (once A251/17 is full and binding), the approved Site Development File DA.14.081, and with the comments from the City Departments and external agencies. Accordingly, the Development Planning Department is satisfied that the proposed condominium tenure of the subject lands is appropriate and compatible with the surrounding area, conforms to the Official Plan and generally complies to the site-specific Zoning By-law 142-2015, save and except for minor variances identified in A251/17, and therefore, has no objections 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. Draft Plan of Condominium (File 19CDM-16V008)
5. Condominium Plan - Levels 2-5 Plan
6. Condominium Plan - Levels 6A and 7
7. Site Plan (File DA.14.081)

**Report prepared by:**

Eugene Fera, Senior Planner, ext. 8003

Respectfully submitted,

DANIEL KOSTOPOULOS  
City Manager

MAURO PEVERINI  
Director of Development Planning

BILL KIRU  
Senior Manager of Development Planning

/CM



# **ATTACHMENT NO. 1**

## **CONDITIONS OF DRAFT APPROVAL**

### **DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-16V008 ("PLAN") MARKET LANE HOLDINGS INC. ("OWNER") LOT 7, CONCESSION 7, 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) 19CDM-16V008, 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 #1321-12DP3, dated February 24, 2017.
2. The Owner shall enter into a Condominium Agreement with the City, and shall agree to satisfy any conditions that the City may consider to be outstanding as part of the Site Development File DA.14.081.
3. Prior to the execution of the Condominium Agreement, the Owner shall submit a revised Draft Plan of Condominium to the Development Planning Department to reflect the changes approved by the Committee of Adjustment (File A251/17).
4. The Condominium Agreement shall be registered on title against the lands to which it applies, at the Owner's expense.
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;
  - b) Snow removal and clearing, and garbage and recycling/organics pick-up (3-stream) shall be the responsibility of the Condominium Corporation;
  - c) Prior to final approval of the Plan, the Owner shall confirm that they have paid all outstanding taxes, Development Charges and levies, as may be required by the Financial Planning and Development Finance Department;
  - d) Prior to final approval of the Plan, the Owner shall confirm to the Development Planning Department that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development may be required by the Financial Planning and Development Finance Department. The Owner also certifies acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of this Condominium Agreement, if required, until each unit covered under this Condominium Agreement is separately assessed;
  - e) Prior to commencing of any work, the Owner must confirm that sufficient wire-line communication infrastructure is available. In the event that such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/ or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for the above noted connection, then the Owner will be required to demonstrate to the satisfaction of the City of Vaughan that sufficient alternative

communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for Emergency Management Services (i.e. 911 Emergency Services);

- f) The Owner shall include a warning clause in the Condominium Declaration, disclosing to all Owners/tenants/lessees that the underground parking garage includes 3 small car parking spaces and 2 enclosed parking spaces; and
  - g) Prior to final approval the Owner shall confirm that the Condominium Declaration and articles of incorporation for the Condominium includes wording that the Condominium Corporation agrees to implement and review and/or update, as required from time to time the recommendations of the Emergency Preparedness Plan (October 3, 2014) manual.
- 6. Prior to the execution of the Condominium Agreement the Owner shall submit a Site Development application to the City to amend the approved Site Plan Agreement (File DA.14.081) to reflect the minor variances approved by Committee of Adjustment (File A251/17) to the satisfaction of the Development Planning Department.
  - 7. Prior to final approval of the Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
  - 8. Prior to final approval of the Plan, 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.

#### Bell Canada Condition

- 9. Prior to final approval of the Plan, the Owner shall agree to grant Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. 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.

#### Canada Post Condition

- 10. Prior to final approval of the Plan, the Owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

#### Toronto and Region Conservation Authority

- 11. The Owner shall satisfy the following conditions:
  - a) That prior to registration of the Plan, a copy of the Emergency Preparedness Plan be filed with the City of Vaughan's Emergency Planning Manager, and that written correspondence be provided to the Toronto and Region Conservation Authority (TRCA) that the City is in receipt of, and satisfied with the Emergency Preparedness Plan.
  - b) That prior to registration of the Plan, the Emergency Preparedness Plan be included in the articles of incorporation for the condominium, and that wording be included describing how the Emergency Preparedness Plan will be implemented and further, wording be included requiring the Owner/Condominium Board review and/or update the manual, as may be required from time to time.
  - c) That prior to registration of the Plan, a copy of the Condominium Agreement and a draft copy of the articles of incorporation for the condominium (if available), be forwarded to the TRCA.

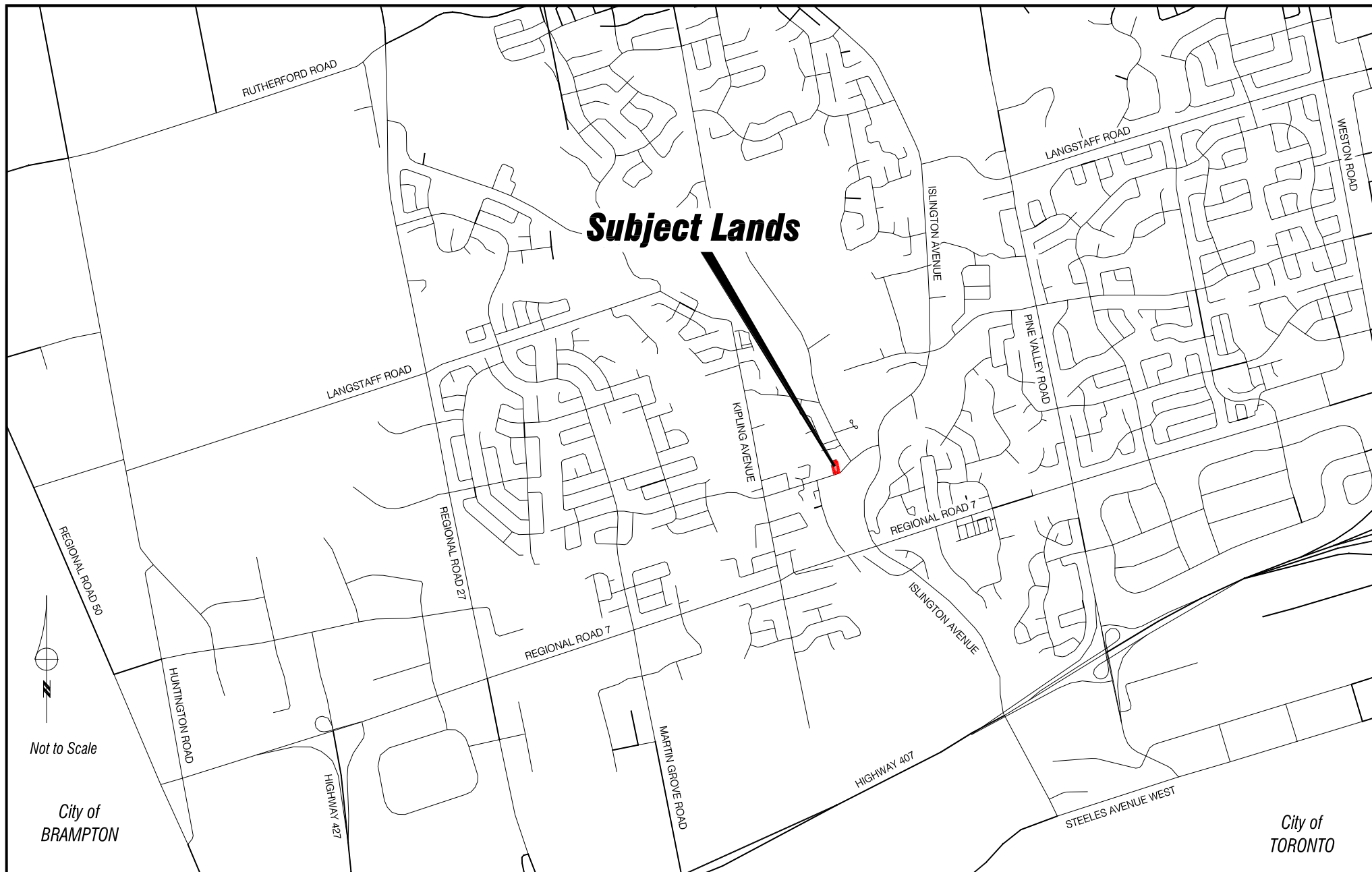
- d) That the Owner, in the event a condominium board has not yet been formed, provide the TRCA a Letter of Undertaking (LOU) committing to include wording in the condominium articles of incorporation, that describes how the Emergency Preparedness Plan will be included and implemented, as noted above.

#### Enbridge

- 12. Prior to final approval, the Owner shall agree to relocate or provide temporary gas pipelines if the gas main needs to be relocated, and to grant Enbridge, if necessary, any easements required to service this development and future adjacent developments. If required, the Owner shall agree to provide a 3 m x 3 m regulator station in an acceptable location to the satisfaction of Enbridge and the City. The Owner shall be responsible for all costs for the relocation of such facilities or easements.

#### Clearances

- 13. The Development Planning Department shall advise in writing that Conditions 1 to 8 have been satisfied.
- 14. Bell Canada shall advise the Development Planning Department in writing that Condition 9 has been satisfied.
- 15. Canada Post shall advise the Development Planning Department in writing that Condition 10 has been satisfied.
- 16. The Toronto and Region Conservation Authority shall advise the Development Planning Department in writing that Condition 11 has been satisfied.
- 17. Enbridge shall advise the Development Planning Department in writing that Condition 12 has been satisfied.



## Context Location Map

LOCATION:  
Part of Lot 7, Concession 7

APPLICANT:  
Market Lane Holdings Inc.

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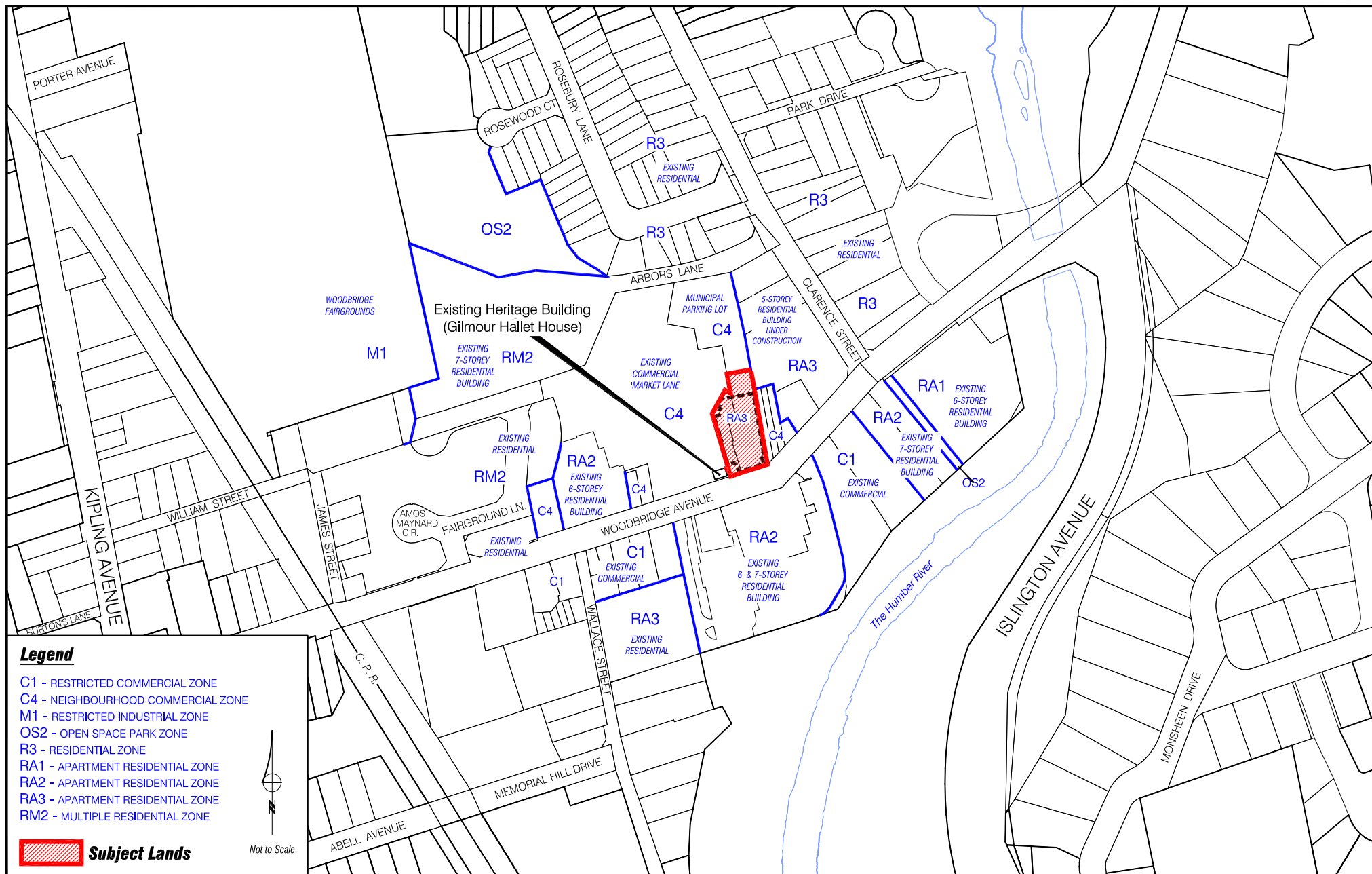


## Attachment

FILE: 19CDM-16V008  
RELATED FILE: DA.14.081

DATE:  
November 7, 2017

2



## Location Map

LOCATION:  
Part of Lot 7, Concession 7

APPLICANT:  
Market Lane Holdings Inc.

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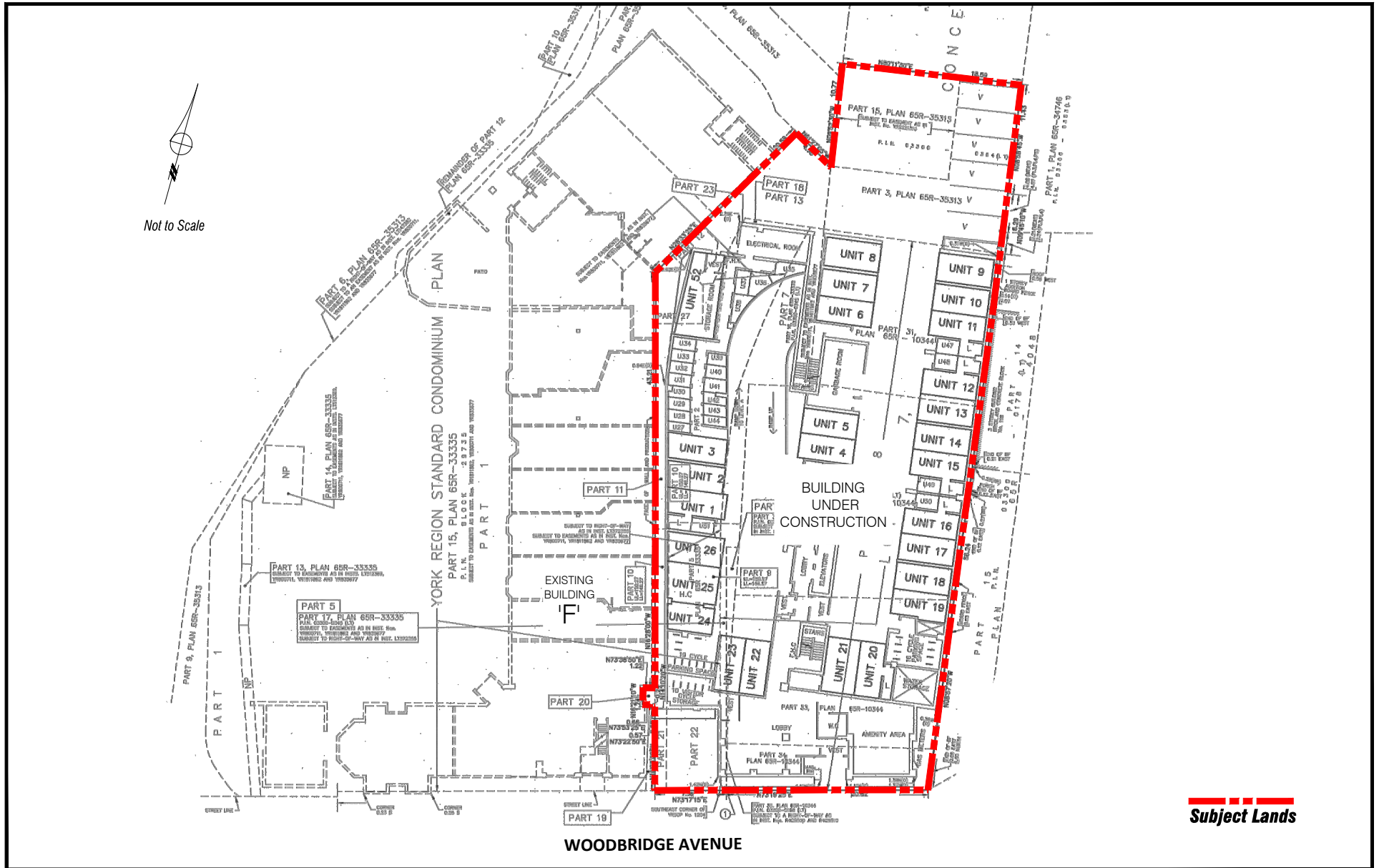


## Attachment

FILE: 19CDM-16V008  
RELATED FILE: DA.14.081

DATE:  
November 7, 2017

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## Draft Plan of Condominium (File 19CDM-16V008)

APPLICANT: Market Lane Holdings Inc. LOCATION: Part of Lot 7, Concession 7



FILE: 19CDM-16V008  
RELATED FILE: DA.14.081

DATE:  
November 7, 2017

4



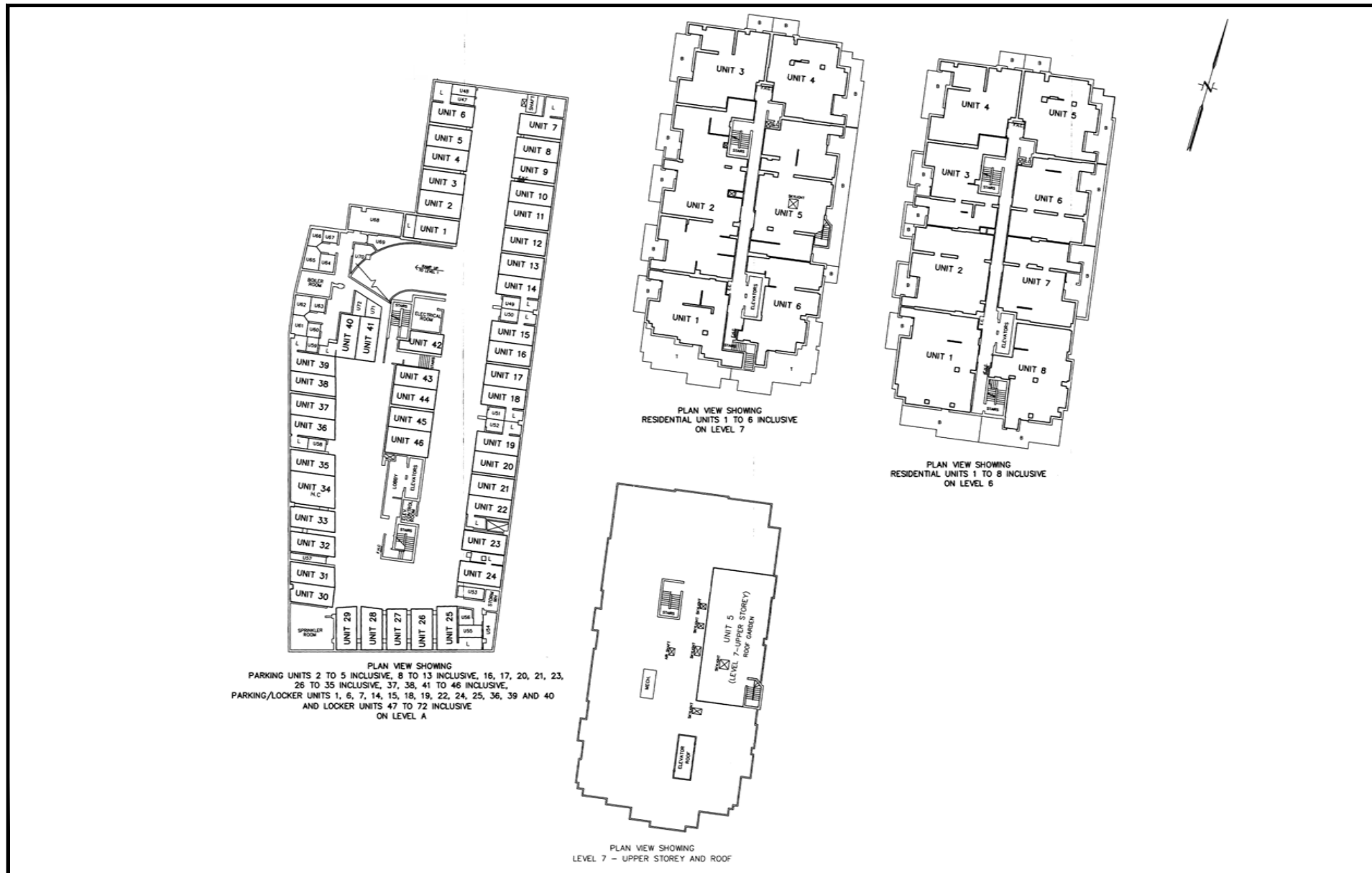
# Condominium Plan Levels 2 - 5

APPLICANT: Market Lane Holdings Inc. LOCATION: Part of Lot 7, Concession 7



Attachment  
FILE: 19CDM-16V008  
RELATED FILE: DA.14.081  
DATE: November 7, 2017  
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## Condominium Plan Levels A, 6 and 7

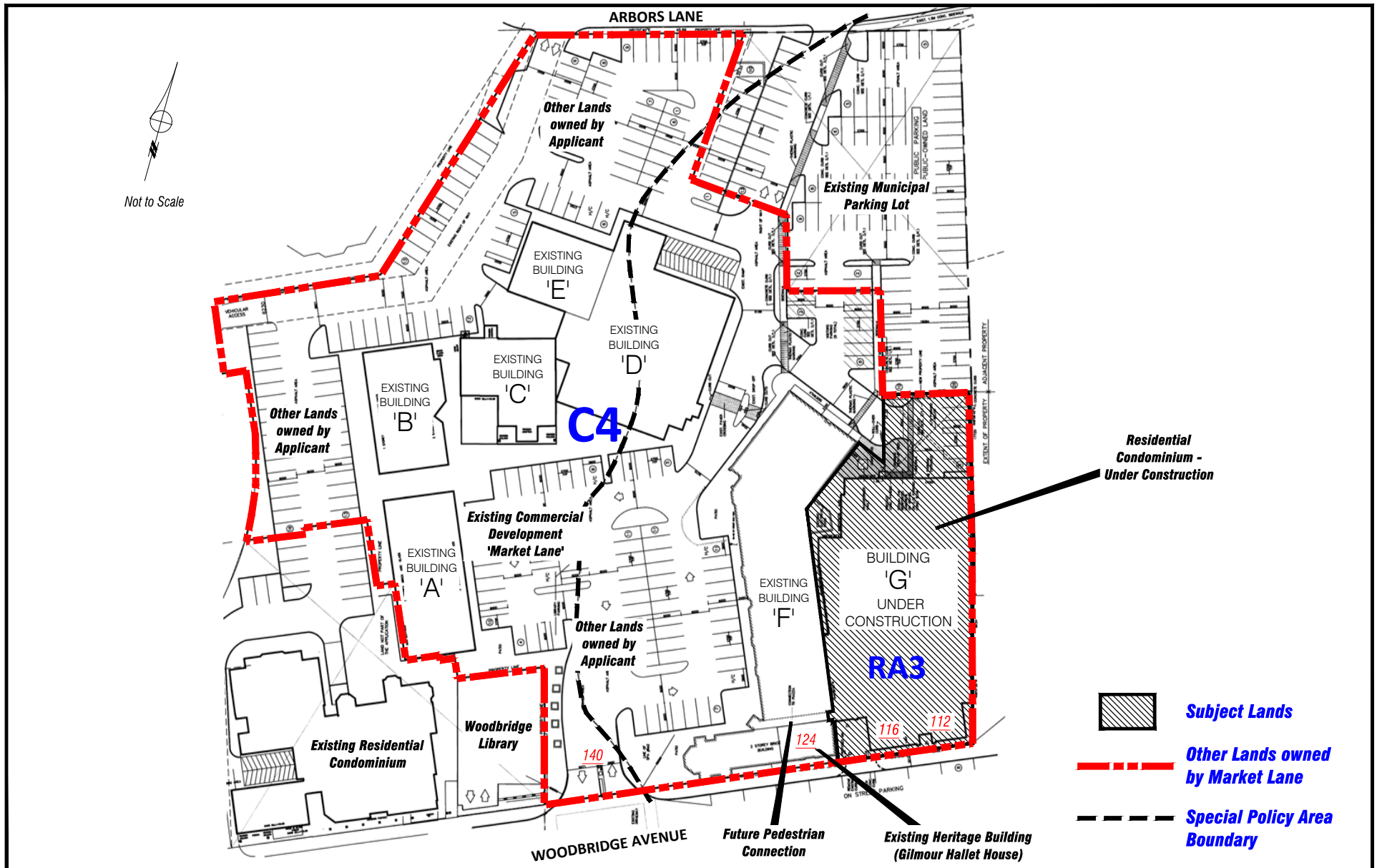
APPLICANT: Market Lane Holdings Inc. LOCATION: Part of Lot 7, Concession 7



Attachment  
FILE: 19CDM-16V008  
RELATED FILE: DA.14.081  
DATE: November 7, 2017

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## Site Plan (File DA.14.081)

LOCATION:  
Part of Lot 7, Concession 7

APPLICANT:  
Market Lane Holdings Inc.

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## Attachment

FILE: 19CDM-16V008  
RELATED FILE: DA.14.081

DATE:  
November 7, 2017

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