

**CITY OF VAUGHAN**

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

Item 3, 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.

**3                      DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-17V002  
                            P. GABRIELE AND SONS LTD.  
                            WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON ROAD**

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-17V002 (P. Gabriele and Sons Ltd.) BE APPROVED, as shown on Attachments #4 and #5, subject to the Conditions of Approval set out in Attachment #1.

**Contribution to Sustainability**

The condominium proposal addresses the tenure of the property only, and therefore, this requirement is not applicable.

**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-17V002, as shown on Attachments #4 and #5. The Draft Plan of Condominium (Standard) will establish the condominium tenure on the subject lands shown on Attachments #2 and #3, consisting of 13 at-grade commercial units, 25 two-storey residential units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, and 32 above-grade and 39 below-grade residential parking spaces.

**Background - Analysis and Options**

**Synopsis**

*The Owner proposes to establish the condominium tenure for a low rise, mixed-use development consisting of 13 commercial units at-grade, 25 two-storey residential units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors and 32 above-grade and 39 below-grade parking spaces. The Development Planning Department supports the approval of the Draft Plan of Condominium (Standard) as it implements the condominium tenure for the approved development (Site Development File DA.09.070), as shown on Attachments #4 and #5.*

## CITY OF VAUGHAN

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

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

##### Location

The subject lands are located at the southeast corner of Major Mackenzie Drive and Jutland Street, as shown on Attachments #2 and #3. The surrounding land uses are shown on Attachment #3.

##### Official Plan and Zoning

The subject lands are designated “Low-Rise Mixed-Use” by Vaughan Official Plan 2010 (VOP 2010), which permits a low-rise mixed-use residential/commercial development with a maximum building height of 4-storeys and a maximum floor space index of 1.5 times the area of the lot. The proposed Draft Plan of Condominium (Standard) conforms to the Official Plan.

The subject lands are zoned RVM2 Residential Urban Village Multiple Zone Two by Zoning By-law 1-88, subject to site-specific Exception 9(1267) and as varied by Minor Variance File A082/16, which permits business or professional office uses on the ground floor of a building with apartment dwellings on the upper two floors. The proposed Draft Plan of Condominium (Standard) complies with Zoning By-law 1-88.

##### Site Plan

Draft Plan of Condominium (Standard) File 19CDM-17V002 is generally consistent with Site Development File DA.09.070 (Attachment #6), which was approved by Vaughan Council on October 29, 2013. The Owner subsequently made some minor modifications to the approved Site Plan and building elevations including alterations to the location, size and placement of certain windows and doors and, changes to the building materials, adjustments to the roof lines, removal of five above-ground parking spaces, modifications to the underground parking space layout, the relocation of the barrier-free parking spaces and the addition of a loading area. These changes were approved by the Development Planning Department, and a Site Plan Letter of Undertaking was executed by the City of Vaughan in June 2016.

As a condition of approval, the Owner must submit an “as-built” survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

##### Garbage/Recycling Collection and Snow Removal

Garbage and recycling collection and snow removal will be privately administered and is the responsibility of the Condominium Corporation. A condition to this effect is included in Attachment #1.

##### Development Engineering Department

The Development Engineering Department has reviewed the proposed Draft Plan of Condominium to ensure compliance with the Vellore Woods Phase 2 Subdivision (File 19T-03V10), and Site Development File DA.09.070. The Development Engineering Department has no objection to the approval of this application subject to their Conditions of Draft Approval contained in Attachment #1.

##### Canada Post

Canada Post has no objections to the proposal subject to the Owner and/or Condominium Corporation installing and maintaining a centralized mailbox facility to the satisfaction of Canada Post, which is included as a condition in Attachment #1.

## **CITY OF VAUGHAN**

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

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

##### **Utilities**

Alectra Utilities Corporation and Enbridge Gas have no objections to the proposal. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. A condition to this effect is included 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 an environmentally sustainable City

##### **Regional Implications**

The York Region Community Planning and Development Services Department has no objection to the proposed Draft Plan of Condominium (Standard) application, subject to their Conditions of Draft Approval identified in Attachment #1.

##### **Conclusion**

The proposed Draft Plan of Condominium (Standard) File 19CDM-17V002 has been reviewed in consideration of Zoning By-law 1-88, Minor Variance File A082/16, the approved site plan and the comments from City Departments and external public agencies. The proposed Draft Plan of Condominium (Standard) implements an approved development (Attachments #4 and #5) that conforms with VOP 2010 and complies with Zoning By-law 1-88. Accordingly, the Development Planning Department recommends approval of the Draft Plan of Condominium (Standard) application, 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-17V002 - Level 1
5. Draft Plan of Condominium File 19CDM-17V002 - Levels 2 & A
6. Approved Site Plan (File DA.09.070)

##### **Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791

(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-17V002  
P. GABRIELE AND SONS LTD.  
WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON ROAD**

**Recommendation**

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**Contribution to Sustainability**

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**Economic Impact**

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**Purpose**

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**Location**

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### Canada Post

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### Utilities

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

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### **Conclusion**

The proposed Draft Plan of Condominium (Standard) File 19CDM-17V002 has been reviewed in consideration of Zoning By-law 1-88, Minor Variance File A082/16, the approved site plan and the comments from City Departments and external public agencies. The proposed Draft Plan of Condominium (Standard) implements an approved development (Attachments #4 and #5) that conforms with VOP 2010 and complies with Zoning By-law 1-88. Accordingly, the Development Planning Department recommends approval of the Draft Plan of Condominium (Standard) application, subject to the conditions set out in Attachment #1.

### **Attachments**

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5. Draft Plan of Condominium File 19CDM-17V002 - Levels 2 & A
6. Approved Site Plan (File DA.09.070)

### **Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791

Respectfully submitted,

DANIEL KOSTOPOULOS  
City Manager

MAURO PEVERINI  
Director of Development Planning

BILL KIRU  
Senior Manager of Development Planning

/LG

# **ATTACHMENT NO. 1**

## **CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-17V002 ("THE PLAN")  
P. GABRIELE AND SONS LTD. ("THE OWNER")  
PART OF LOT 20, CONCESSION 5  
CITY OF VAUGHAN ("THE CITY")**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("THE CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-17V002, ARE AS FOLLOWS:**

### **City of Vaughan Conditions**

1. The Plan shall relate to a Draft Plan of Condominium (Standard), prepared by Krcmar Surveyors Ltd., Ontario Land Surveyors, Drawing Job No. 97-054DC02, dated March 24, 2017.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department.
3. The Owner shall enter into a Condominium Agreement with the City 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 as part of Site Development File DA.09.070.
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) garbage and recycling collection (3-stream) as approved by the Environmental Services Department, Solid Waste Management Division on February 14, 2012, and snow ploughing/removal will be privately administered and shall be the responsibility of the Condominium Corporation; and
  - c) the Owner and/or Condominium Corporation shall supply, install and maintain a centralized mailbox facility to the satisfaction of Canada Post.
5. Final approval of the Plan shall be subject to the conditions of approval from York Region to the satisfaction of the Development Engineering Department.
6. Prior to final approval of the Plan a By-law shall be passed to lift the 0.3 m reserve across the Jutland Street driveway to the satisfaction of the Development Engineering Department.
7. Final approval of the Plan shall be subject to all other conditions as they relate to the approved subdivision (File 19T-03V10) and site plan (File DA.09.070) applications and agreements, to the satisfaction of the Development Engineering Department.
8. Prior to final approval of the Plan, the Owner shall have addressed any outstanding conditions related to Plan of Subdivision File 19-T03V10 and Site Development File DA.09.070 to the satisfaction of the Development Engineering Department.
9. The Condominium Agreement shall be registered on title against the lands to which it applies, at the Owner's expense.

10. Prior to final approval of the Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
11. 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.
12. 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 as 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.

#### York Region Conditions

13. Prior to final approval of the Plan, the Owner shall provide confirmation that all conditions of site plan approval issued in June 2016 for the subject lands under Regional File No. SP-V-028-09 have been satisfied.
14. Prior to final approval of the Plan, the Owner shall execute all Regional Agreements and obtain all the necessary permits required as part of site plan approval issued in June 2016 for the subject lands under Regional File No. SP-V-028-09.
15. Prior to final approval of the Plan, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of the remaining 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 an amount sufficient to cover the cost of all outstanding works.
16. Prior to final approval of the Plan, 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.

#### Canada Post Condition

17. The Owner and/or Condominium Corporation shall install and maintain a centralized mailbox facility to the satisfaction of Canada Post.

#### Utilities

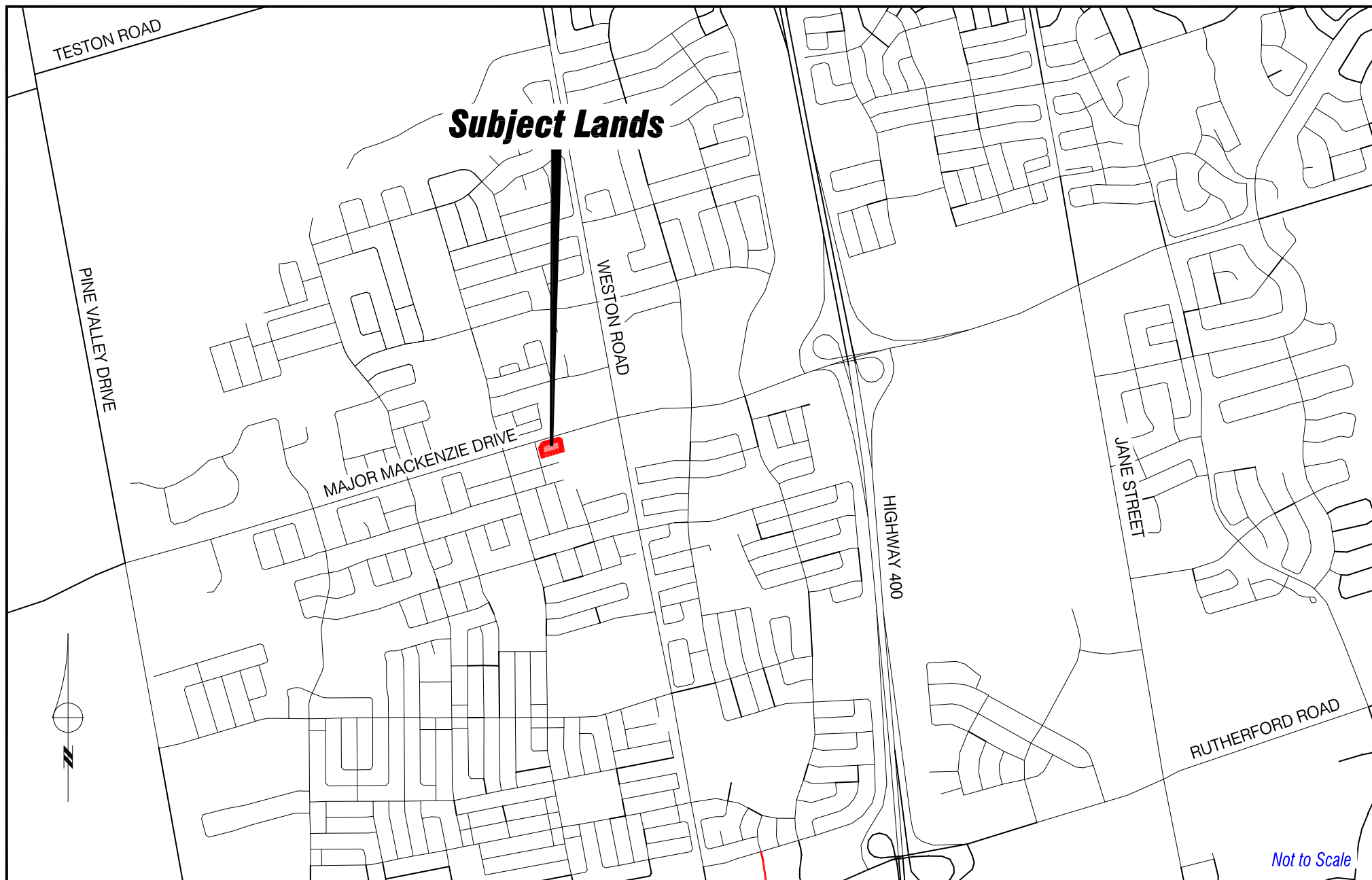
18. The Owner is required to confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority.

#### Clearances

19. The City of Vaughan Development Planning Department shall advise in writing that Conditions 1 to 12 have been satisfied.
20. York Region shall advise the Development Planning Department in writing that Conditions 13 to 16 have been satisfied.
21. Canada Post shall advise the Development Planning Department in writing that Condition 17 has been satisfied.



22. Alectra Utilities Corporation shall advise the Vaughan Development Planning Department in writing that Condition #18 has been satisfied.
23. Enbridge Gas shall advise the Vaughan Development Planning Department in writing that Condition #18 has been satisfied.



## Context Location Map

LOCATION:  
Part of Lot 20, Concession 6

APPLICANT:  
P. Gabriele and Sons Ltd.

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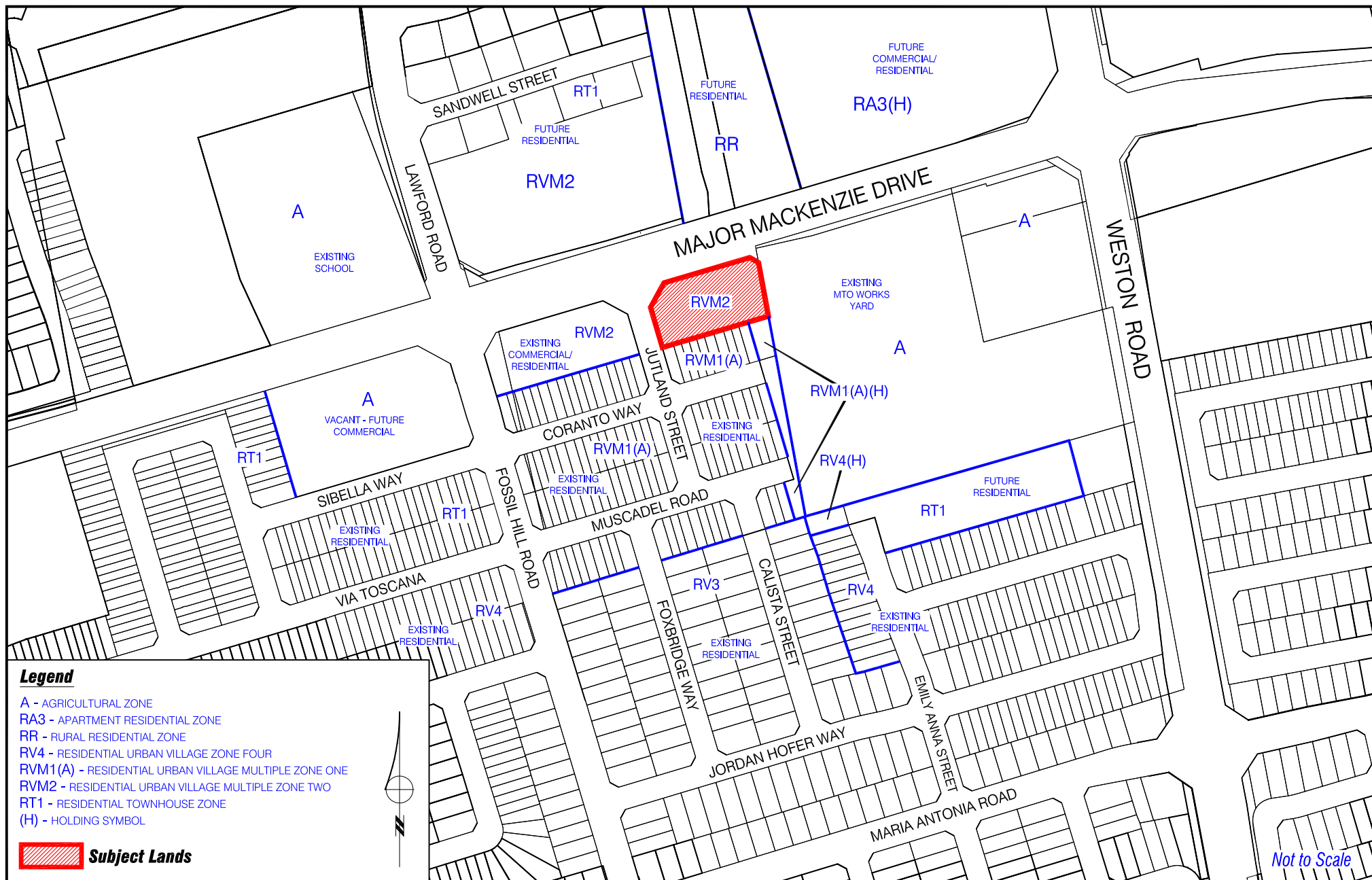


## Attachment

FILE:  
19CDM-17V002  
RELATED FILE: DA.09.070

DATE: November 7, 2017

**2**



## Location Map

LOCATION:  
Part of Lot 20, Concession 6

APPLICANT:  
P. Gabriele and Sons Ltd.

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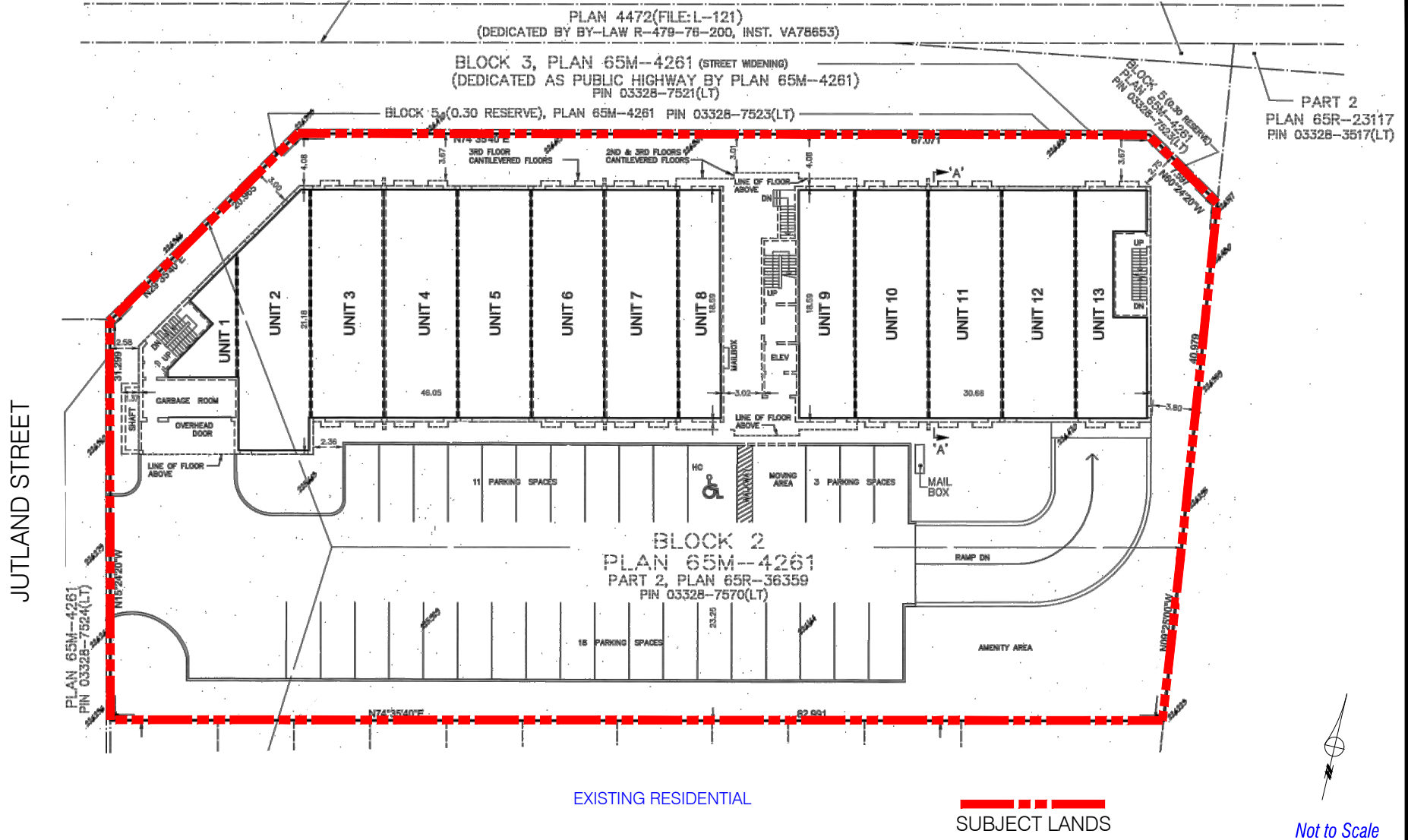
Attachment

FILE:  
19CDM-17V002  
RELATED FILE: DA.09.070

DATE: November 7, 2017

3

# MAJOR MACKENZIE DRIVE



## Draft Plan of Condominium File 19CDM-17V002 - Level 1

APPLICANT: P. Gabriele and Sons Ltd.  
LOCATION: Part of Lot 20, Concession 5

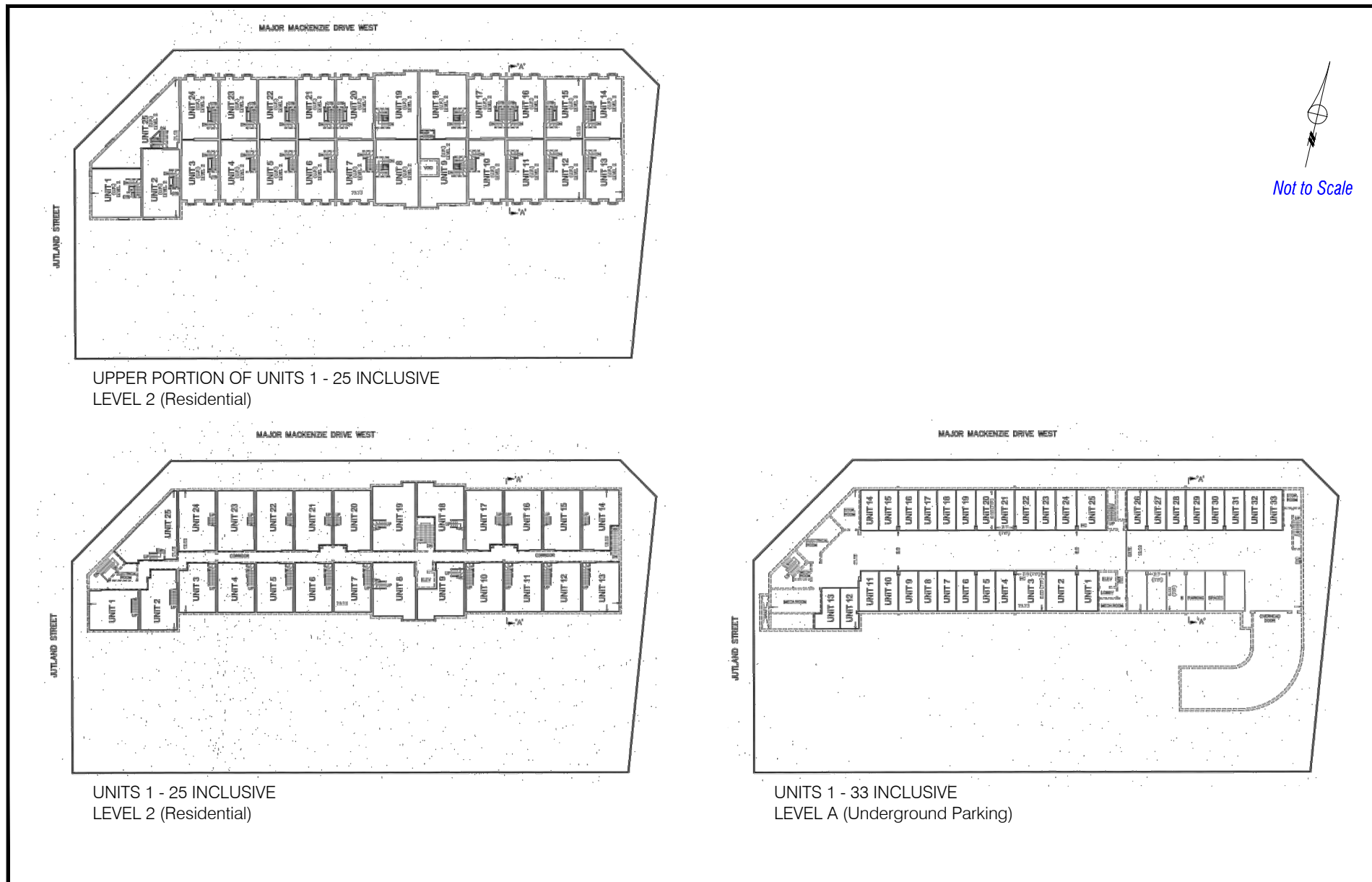


## Attachment

FILE:  
19CDM-17V002  
RELATED FILE: DA.09.070

DATE: November 7, 2017

4



# Draft Plan of Condominium File 19CDM-17V002 - Levels 2 & A

APPLICANT: P. Gabriele and Sons Ltd.  
LOCATION: Part of Lot 20, Concession 5



Attachment  
FILE: 19CDM-17V002  
RELATED FILE: DA.09.070  
DATE: November 7, 2017  
**5**

## SITE STATISTICS

TOTAL SITE AREA: 3751.57 m<sup>2</sup> (3.75 ha)  
 TOTAL BUILDING AREA: 1245.57 m<sup>2</sup> (1.24 ha)

GROUND FLOOR AREA: 1245.57 m<sup>2</sup>

(12 COMMERCIAL UNITS)

SECOND FLOOR AREA: 1428.35 m<sup>2</sup>

(25 2 - STOREY RESIDENTIAL UNITS)

THIRD FLOOR AREA: 1428.35 m<sup>2</sup>

TOTAL FLOOR AREA: 4102.27 m<sup>2</sup>

TOTAL GARAGE FLOOR AREA: 1351.24 m<sup>2</sup>

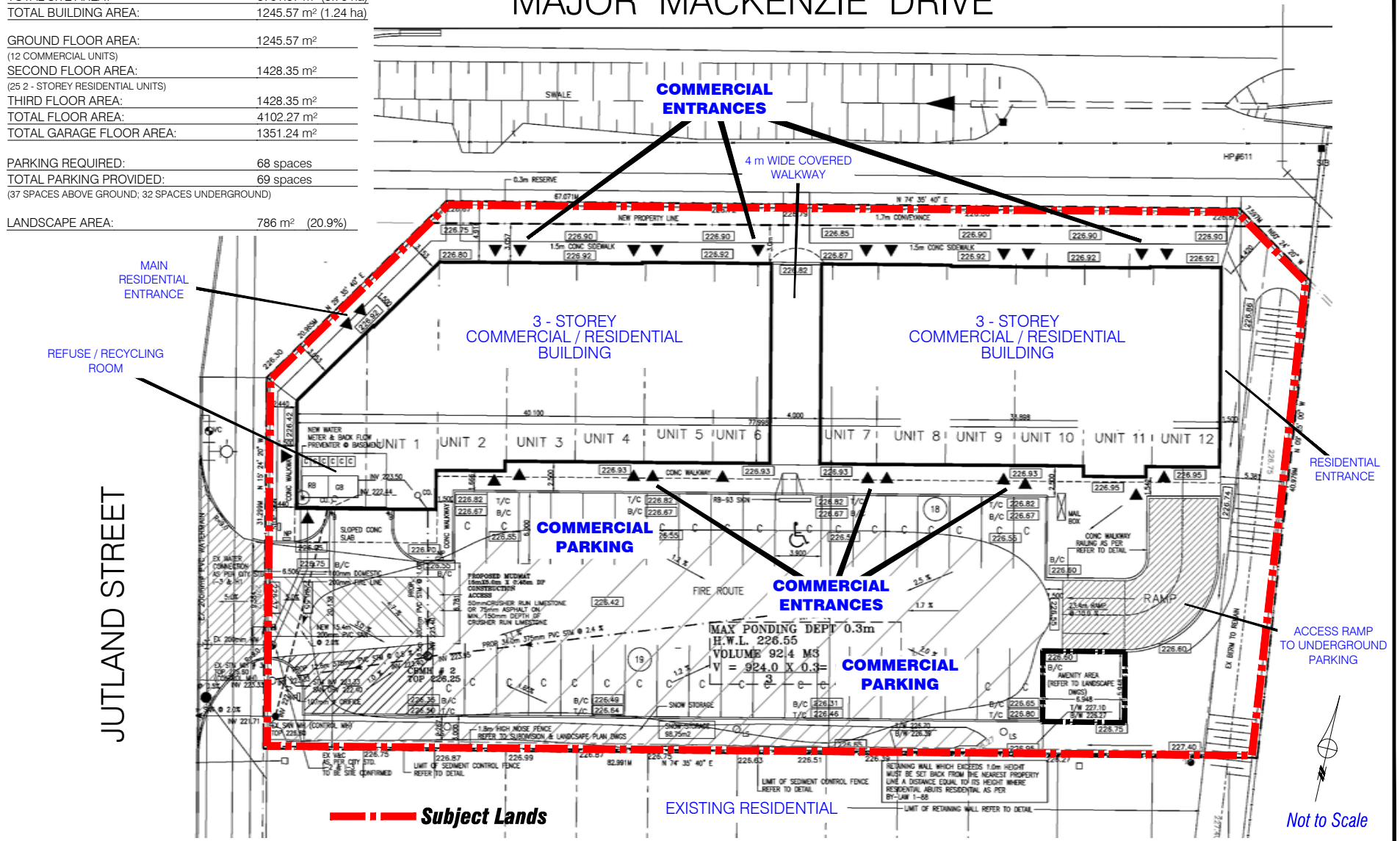
PARKING REQUIRED: 68 spaces

TOTAL PARKING PROVIDED: 69 spaces

(37 SPACES ABOVE GROUND; 32 SPACES UNDERGROUND)

LANDSCAPE AREA: 786 m<sup>2</sup> (20.9%)

## MAJOR MACKENZIE DRIVE



## Approved Site Plan (File DA.09.070)

APPLICANT:  
P. Gabriele and Sons Ltd.

LOCATION:  
Part of Lot 20, Concession 5



## Attachment

FILE:  
19CDM-17V002  
RELATED FILE: DA.09.070

DATE: November 7, 2017

6