

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2013

Item 9, Report No. 52, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 10, 2013.

9

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V012
VISTA PARC LIMITED
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND WIGWOSS DRIVE**

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 26, 2013:

Recommendation

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

1. THAT Draft Plan of Condominium (Standard) File 19CDM-13V012 (Vista Parc Limited) as shown on Attachments #4 and #5, BE APPROVED, subject to the Conditions of Approval as set out in Attachment #1.
2. THAT prior to the registration of the final Condominium Plan, the Owner shall have applied for and obtained the necessary variances from the Vaughan Committee of Adjustment to recognize the "as-built" building, as shown on Attachment #7, to implement the Draft Plan of Condominium, and the Committee's decision must be final and binding.

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

The Owner has submitted Draft Plan of Condominium (Standard) File 19CDM-13V012 for the subject lands shown on Attachments #2 and #3, consisting of one, 7-storey residential apartment (as-built) building comprised of 122 units and 168 parking spaces.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the north side of Regional Road 7, between Wigwoss Drive and Pine Valley Drive, and known municipally as 4700 Regional Road 7, City of Vaughan. The surrounding land uses are shown on Attachment #3.

Official Plan and Zoning

The subject lands are designated "Prestige Areas-Centres & Avenue Seven Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (Avenue Seven Land Use

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Futures Study), as further amended by site-specific OPA #682 and OPA #726, which permits a 7-storey residential condominium building with maximum FSI (Floor Space Index) of 2.5. The as-built building is 7-storeys with an FSI of 1.6. The proposed Draft Plan of Condominium (Standard) conforms to the in-effect Official Plan.

The subject lands are also designated “Mid-Rise Mixed-Use” and “Natural Areas” (east portion of the site) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and was approved, in part, by the Ontario Municipal Board on July 23, 2013. VOP 2010 permits a maximum building height of 6-storeys and a maximum FSI of 2.0. The 7-storey building height (with an FSI of 1.6) does not conform to VOP 2010. However, the building was constructed in accordance with the policies of the in-effect Official Plan.

The subject lands are zoned RA2 Apartment Residential Zone by By-law 1-88, subject to site-specific Exception 9(1131). The proposed Draft Plan of Condominium as shown on Attachment #4, reflects the as-built conditions, which does not entirely comply with the site-specific zoning Schedule E-1249 (Attachment #7). Specifically, the building has been constructed outside of the approved building envelope, and therefore, variances to the approved building setbacks are required, as shown on Attachment #7. The Development Planning Department has no objection to the variances as they are minor in nature and maintain the intended design of the approved site plan as shown on Attachment #6. Prior to the registration of the Condominium Plan, the Owner will need to successfully obtain approval from the Vaughan Committee of Adjustment for the variances required to implement the proposed Draft Plan of Condominium, and the Committee's decision must be final and binding. A condition to this effect is included in the recommendation of this report.

Site Plan

Site Development File DA.11.069 was approved by Vaughan Council on June 26, 2012, to permit a 7-storey residential apartment building with 122 residential units and 168 parking spaces, 24 of which are visitor parking spaces. The resident parking spaces are located below grade in an underground parking garage and the visitor spaces are located at grade. The site is accessed from one driveway on Regional Road 7 and includes a walkway connection to Regional Road 7. Landscaped areas are provided along Regional Road 7 and the northerly portion of the site. With the exception of the minor deviations to the building location as shown on Attachment #7, the Draft Plan of Condominium shown on Attachments #4 and #5 is consistent with the approved Site Plan File DA.11.069.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has no objection to the proposed Draft Plan of Condominium, subject to the conditions (warning clauses) in Attachment #1.

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.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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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.

The development includes sustainable site and building features, including a green roof on the fifth floor.

Regional Implications

The application has been circulated to the Region of York for review and any outstanding matters from the approved Site Development Application must be addressed to the satisfaction of the Region of York.

Conclusion

The Vaughan Development Planning Department has reviewed Draft Plan of Condominium (Standard) File 19CDM-13V012, which conforms to the in-effect Official Plan. The proposed Condominium Plan is consistent with Zoning By-law 1-88 and with approved Site Development File DA.11.069, with the exception of slight building setback reductions, due to the “as-built” building being located in a few instances outside of the approved building envelope, which will require the Owner to apply for and successfully obtain variances from the Vaughan Committee of Adjustment, prior to the registration of the final Condominium Plan, and such variances must be final and binding. Accordingly, the Development Planning Department has no objection to the approval of the Draft Plan of Condominium, subject to the Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium File 19CDM-13V012 (Levels A, B, C and 6)
5. Draft Plan of Condominium File 19CDM-13V012 (Levels 1-5)
6. Approved Site Plan (File DA.11.069)
7. Site-specific Zoning Exception 9(1131)

Report prepared by:

Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791
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.)

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V012
VISTA PARC LIMITED
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND WIGWOSS DRIVE**

Recommendation

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

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Contribution to Sustainability

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Economic Impact

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Report prepared by:

Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-13V012 VISTA PARC LIMITED BEING PARTS 1 AND 2, ON REFERENCE PLAN NO. 65R-24546, 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-13V012, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by KRCMAR Surveying Ltd., Drawing Name 11-227DC01, dated September 12, 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 outstanding conditions of Site Development File DA.11.069 with respect to such matters as landscaping, parking and any site development matters, that the City may consider necessary.
4. The following provisions shall be included in the Condominium Agreement and all Agreements of Purchase and Sale or Lease:
 - 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 Clauses shall be included:
 - "In order to achieve a suitable noise environment, windows may need to remain closed, therefore this dwelling unit has been equipped with a central air conditioning system."
 - "Purchasers/Tenants are advised that despite the inclusion of noise control features within the building units, sound levels from increasing road traffic on Regional Road 7 and the future Transitway may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as sound levels exceed the Municipality's and the Ministry of Environment's sound level criteria."
 - Purchasers/Tenants are advised that despite the inclusion of noise control features within the building units, sound levels from increasing road traffic on Regional Road 7 and the future Transitway will continue to be of concern as

the levels in the balcony exceed the Ministry of Environment criteria and that protected common outdoor living areas meeting the Ministry sound level criteria have been provided within the development."

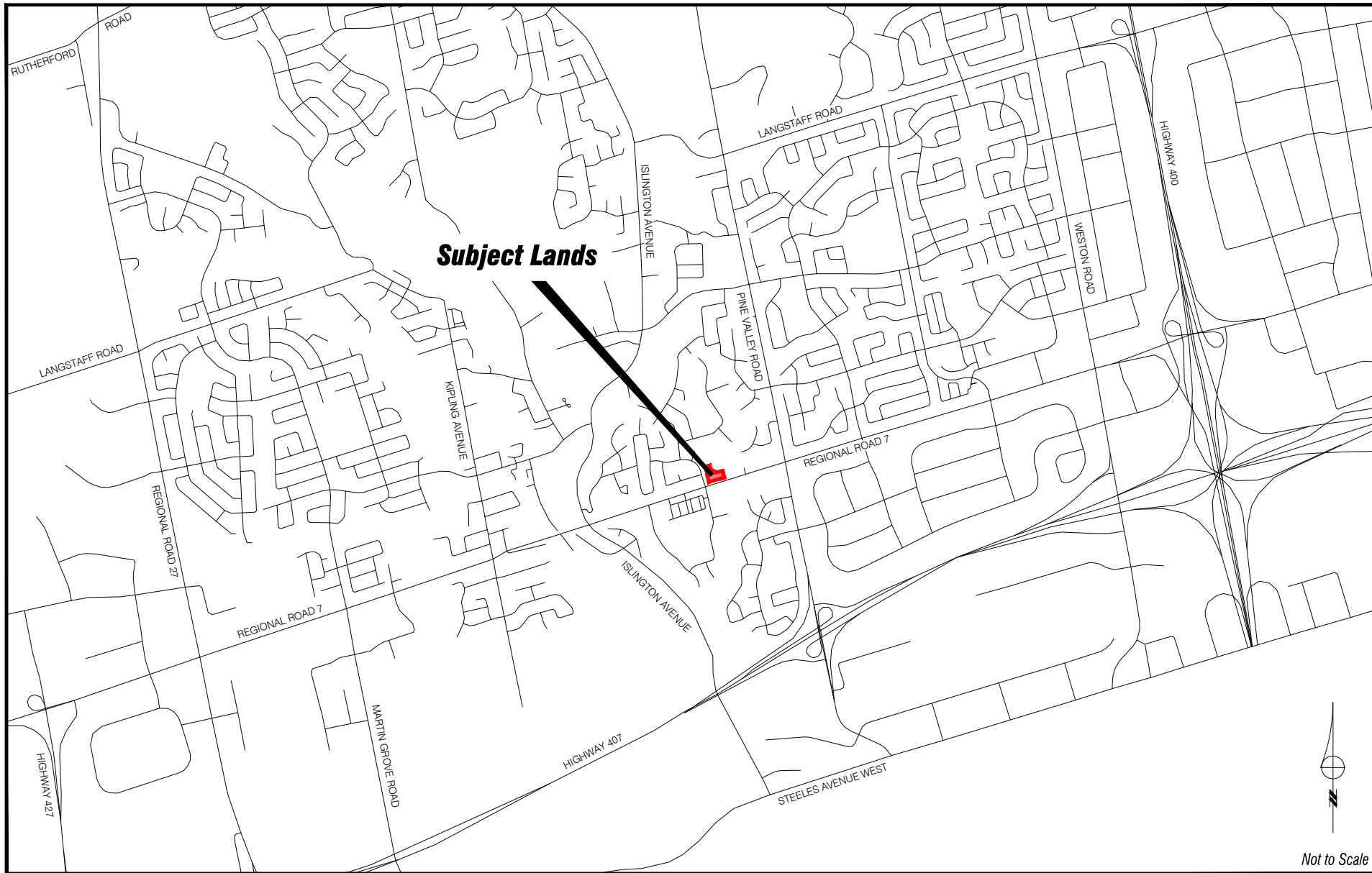
5. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
7. Prior to final approval, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and right-of-ways 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 have applied for and obtained approval from the Vaughan Committee of Adjustment for the necessary variances to Zoning By-law 1-88 that are required to implement the final Condominium Plan, and the Committee's decision shall be final and binding.

Region of York

10. The Owner shall satisfy all requirements of the Region of York that may be outstanding from the Site Plan process (City File DA.11.069).

Clearances

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



Context Location Map

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

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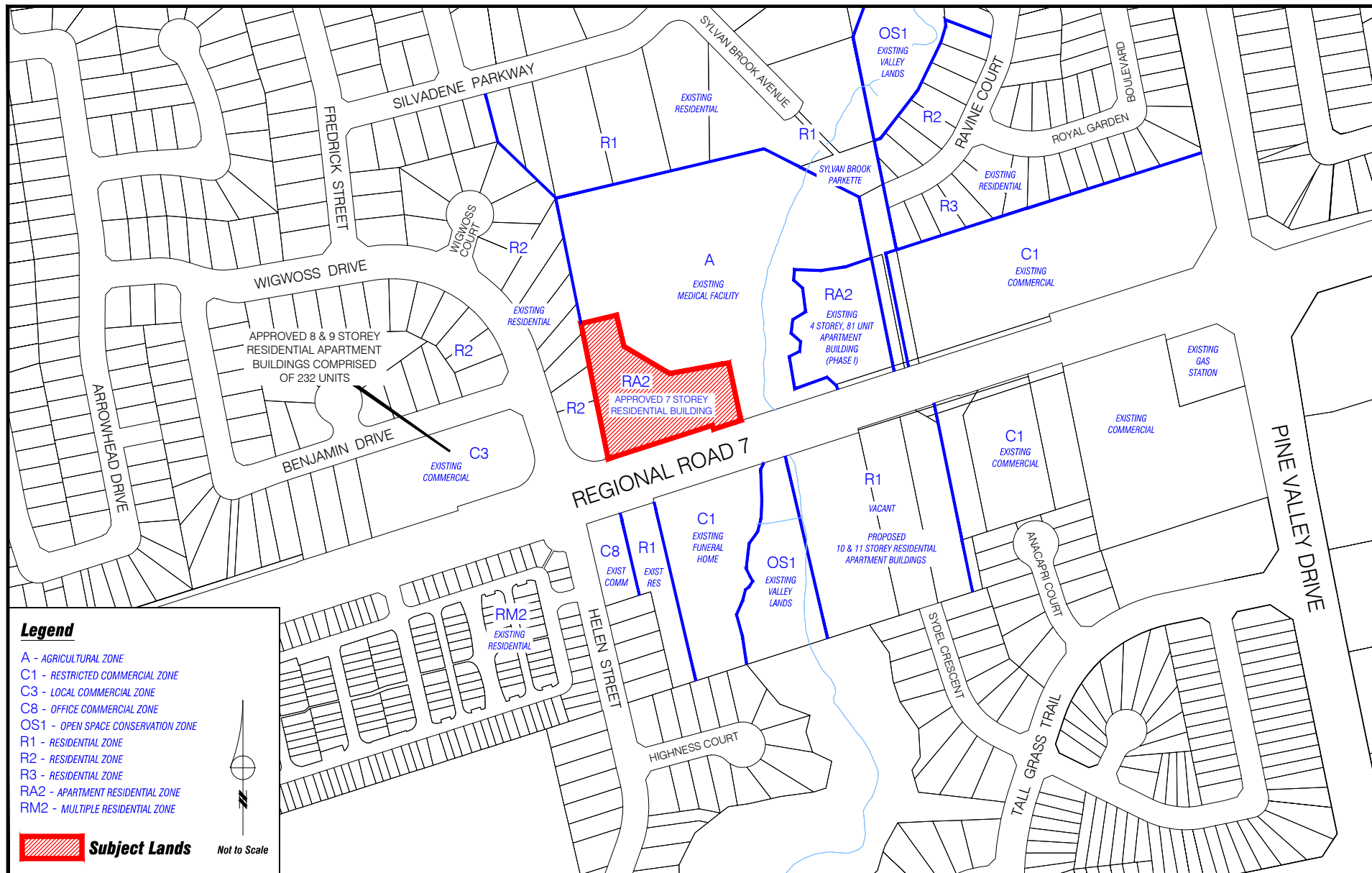


Attachment

FILE: 19CDM-13V012
RELATED FILE: DA.11.069

DATE:
October 4, 2013

2



Location Map

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

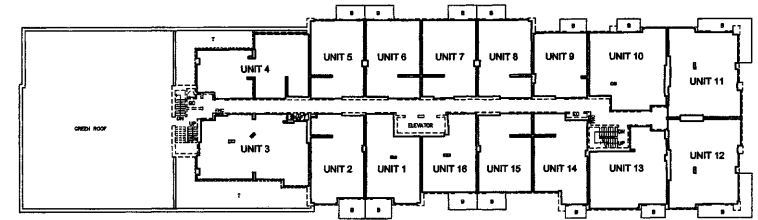
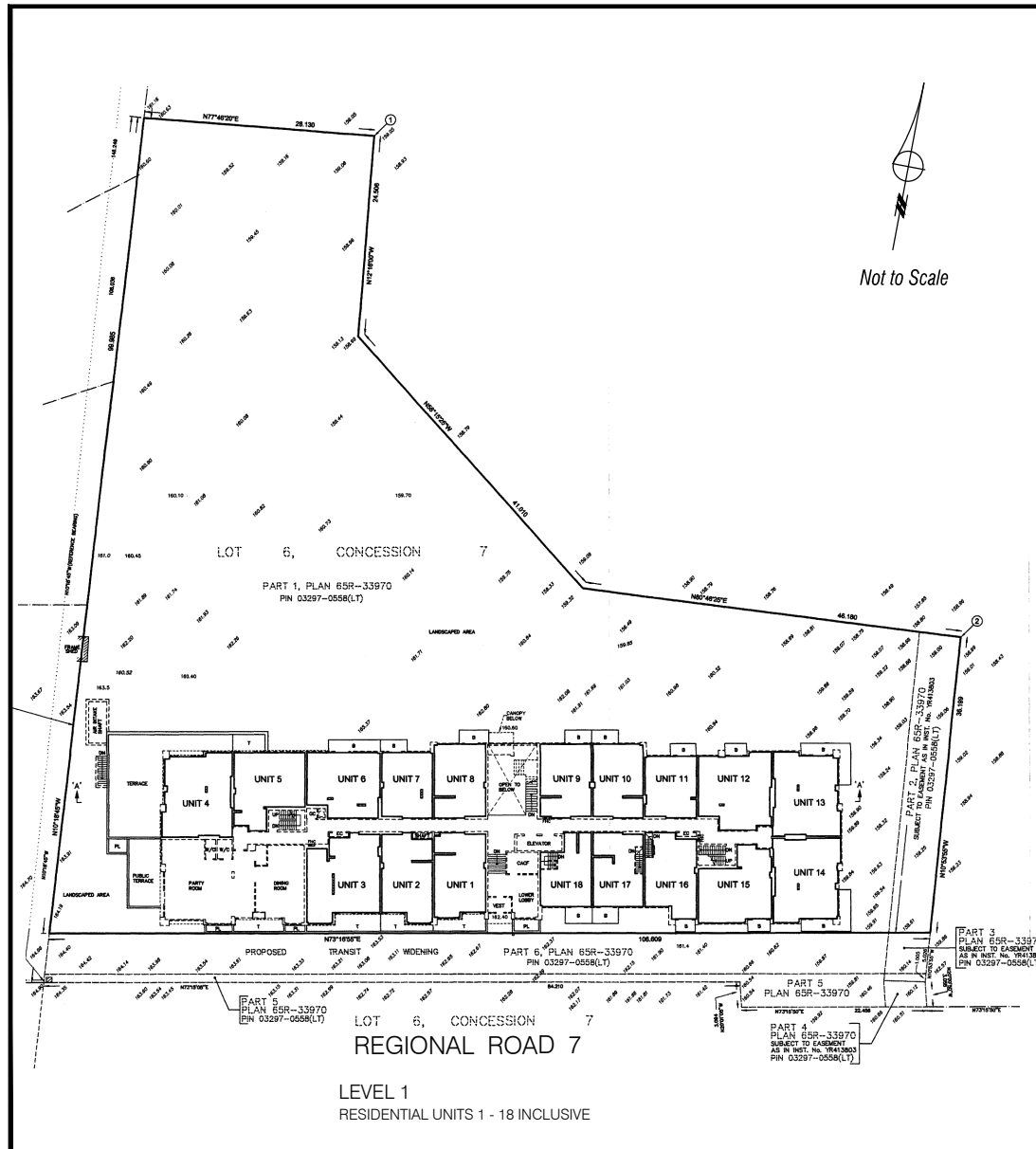


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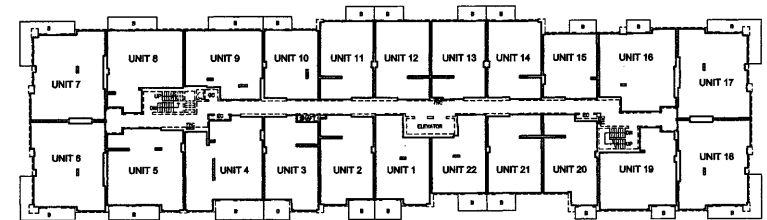
FILE: 19CDM-13V012
RELATED FILE: DA.11.069

DATE:
October 4, 2013

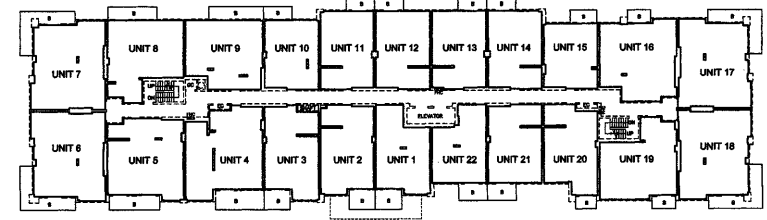
3



LEVEL 5
RESIDENTIAL UNITS 1 - 16 INCLUSIVE



LEVEL 4
RESIDENTIAL UNITS 1 - 22 INCLUSIVE



LEVELS 2 and 3
RESIDENTIAL UNITS 1 - 22 INCLUSIVE

Draft Plan of Condominium File 19CDM-13V012 (Levels 1-5)

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

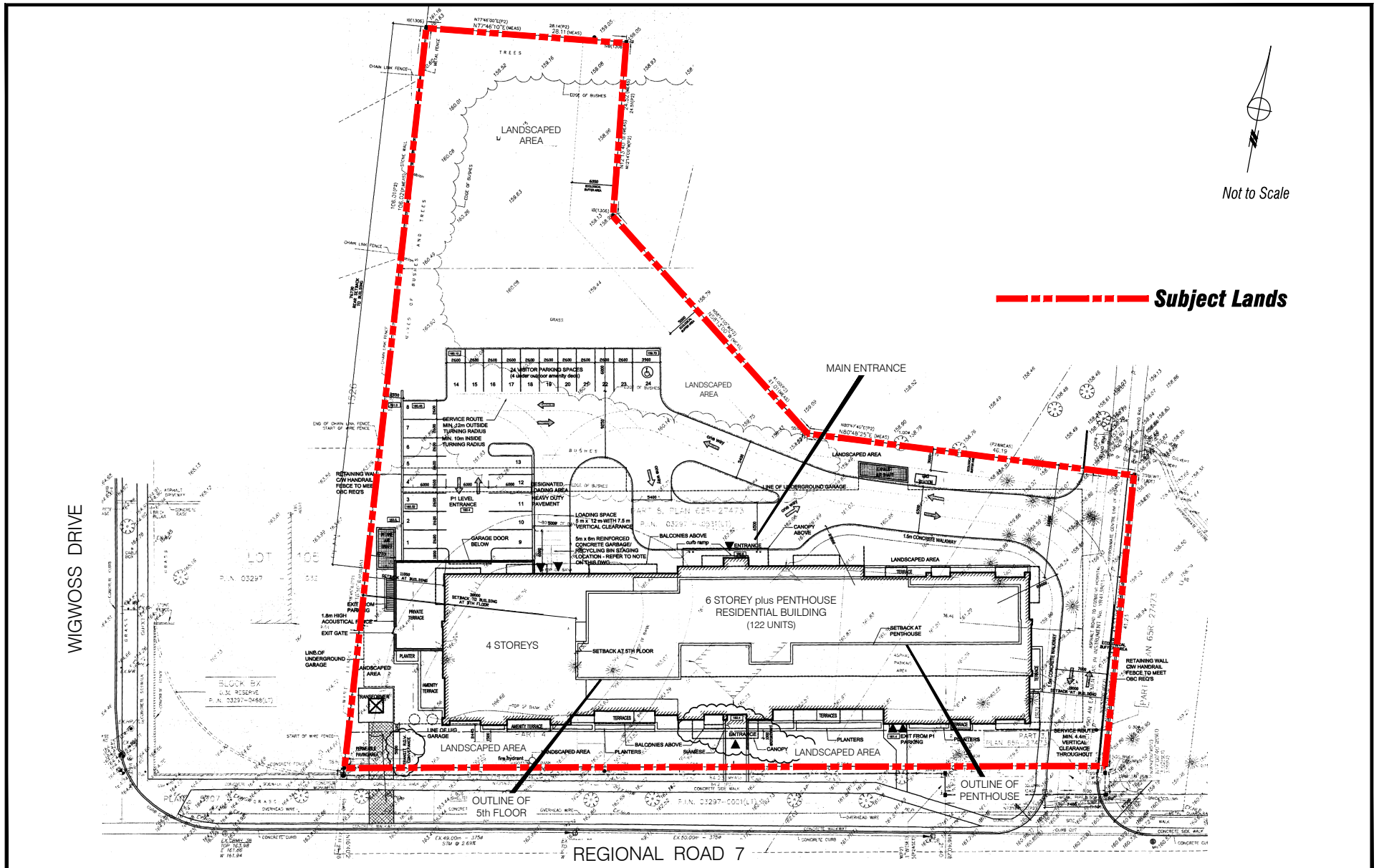


Attachment

FILE: 19CDM-13V012
RELATED FILE: DA.11.069

DATE:
October 4, 2013

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Approved Site Plan (File DA.11.069)

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

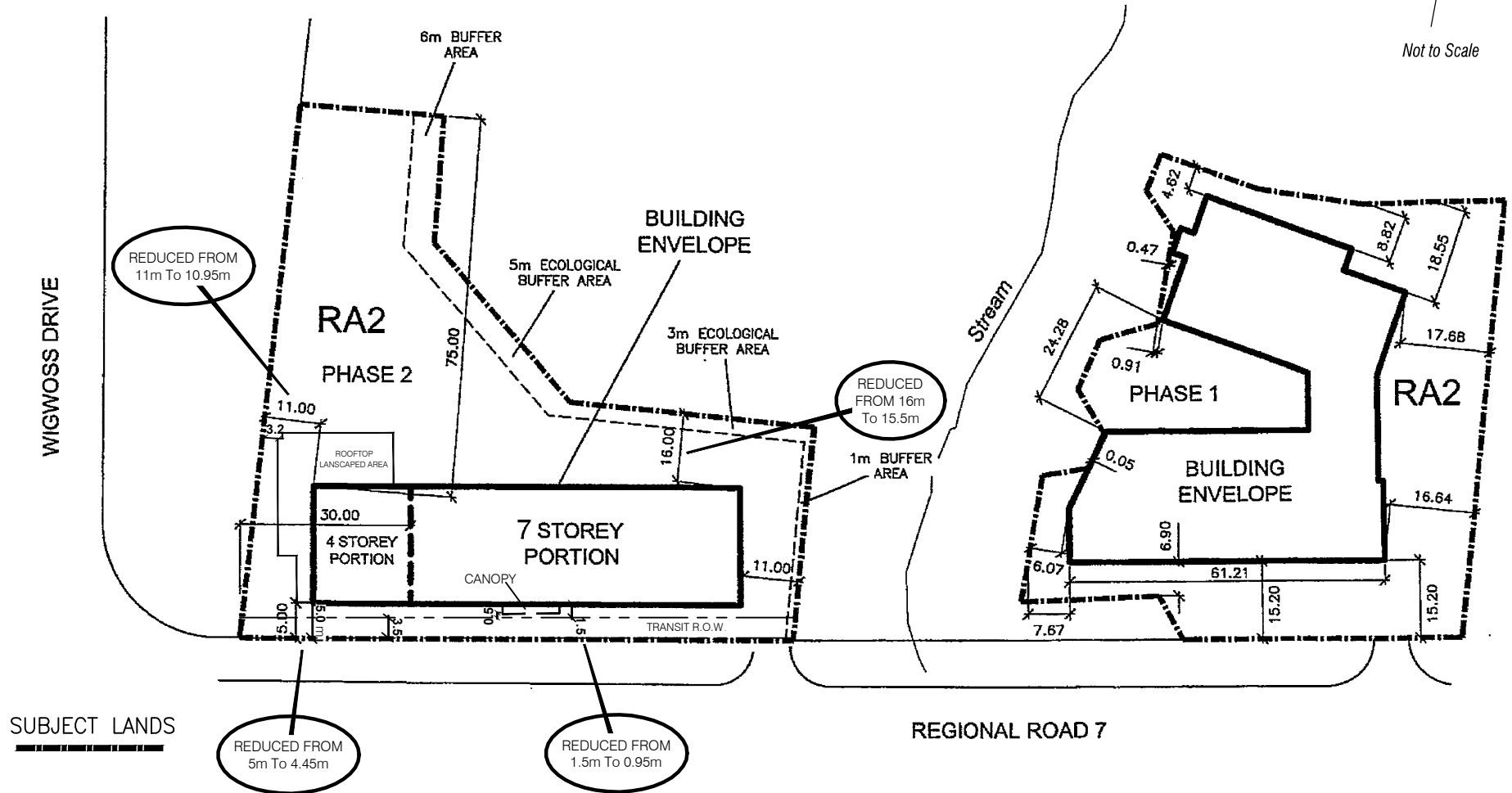
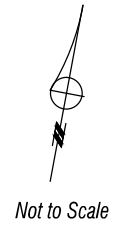


Attachment
FILE: 19CDM-13V012
RELATED FILE: DA.11.069

DATE:
October 4, 2013

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THIS IS SCHEDULE 'E-1249'
TO BY-LAW 1-88
SECTION 9(1131)



Site Specific Zoning Exception 9(1131)

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited



Attachment

FILE: 19CDM-13V012
RELATED FILE: DA.11.069

DATE:
October 4, 2013

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