

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 15, Report No. 41, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 9, 2014.

15

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V009
MELRUTH DEVELOPMENT CORPORATION
WARD 1 – VICINITY OF RUTHERFORD ROAD AND MELVILLE AVENUE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning and Manager of Development Planning, dated December 2, 2014:

Recommendation

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

1. THAT Draft Plan of Condominium (Standard) File 19CDM-14V009 (Melruth Development Corporation) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1.

Contribution to Sustainability

The subject lands are currently being development in accordance with Site Development File DA.13.093 that was approved by Vaughan Council on March 18, 2014. The contribution to sustainability was identified at that time. The proposed Draft Plan of Condominium addresses the tenure of the commercial and office buildings, 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-14V009 (Melruth Development Corporation) as shown on Attachment #5, to facilitate the continued development of 5 buildings with condominium tenure as follows:

- Building "A" (Units 4 - 8): A two-storey, 1,385 m² office building
- Building "B" (Units 9 - 29): A one-storey 2,165 m² multi-unit retail building with an outdoor play area (176 m²) for a day nursery and an outdoor patio (98 m²)
- Building "C" (Units 30 - 32): A one-storey 284 m² eating establishment with a drive-through and an outdoor patio (46 m²)
- Building "D" (Units 33 - 36): A one-storey 341 m² eating establishment
- Building "E" (Units 1 - 3): A two-storey 1,485 m² mixed-use building with ground floor retail uses and second-storey Business or Professional Office uses

Background - Analysis and Options

Location

The subject lands are located northeast of Melville Avenue and Rutherford Road between the existing automobile gas bar and the CN Rail pull-back track, as shown on Attachments #2 and #3. The surrounding land uses are shown on Attachment #3.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 15, CW Report No. 41 – Page 2

Official Plan and Zoning

The subject lands are designated “Employment Commercial Mixed-Use” by City of Vaughan Official Plan 2010 (VOP 2010) with a permitted maximum building height of 12-storeys and a Floor Space Index of 3.5, and located on a Primary Intensification Corridor within an Employment Area. The “Employment Commercial Mixed-Use” designation permits a range of uses including office, hotel, cultural and entertainment, and retail uses on the subject lands. The proposed Draft Plan of Condominium conforms to the Official Plan.

The subject lands are zoned C5 Community Commercial Zone by Zoning By-law 1-88, subject to Exception 9(1208), which permits the commercial and office uses. The proposed Draft Plan of Condominium complies with the Zoning By-law.

Site Plan

Draft Plan of Condominium (Standard) File 19T-14V009 is consistent with Site Development Files DA.13.093 (Attachment #4) and DA.14.054 (minor revision to Building “D” elevations), which was approved by Vaughan Council on March 18, 2014 and through delegated staff approval on September 9, 2014, respectively. The Site Plan Letter of Undertaking for File DA.13.093 was executed by the City of Vaughan on July 11, 2014. The commercial and office buildings are currently under construction.

As a condition of final approval as set out in Attachment #1, the Owner must submit an “as-built” survey to the satisfaction of the Vaughan Building Standards Department, prior to the registration of the condominium plan.

Garbage/Recycling Collection and Snow Removal

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

Canadian National Railway (CN)

CN has no objections to the application.

Canada Post

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

The Owner has installed a centralized mailbox facility in the indoor vestibule area of Buildings “A” and “E”. The remainder of the buildings will use the centralized mailbox facility located in the landscape area behind Building “D”, as shown on Attachment #4.

Bell Canada

Bell Canada has no objections to the proposal. The Owner must satisfy Bell Canada’s conditions set out in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 15, CW Report No. 41 – Page 3

i. Manage Growth & Economic Well-Being

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

Regional Implications

The application has been reviewed by the Region of York Transportation and Community Planning Department. The Owner must satisfy any outstanding requirements of Regional Site Plan File SP-V-029-08. A condition to this effect is included in Attachment #1.

Conclusion

The Vaughan Planning Department has reviewed the commercial Draft Plan of Condominium application, which conforms to the Official Plan, complies with Zoning By-law 1-88, and is consistent with the site plan approved by Vaughan Council. The Vaughan Planning Department has no objection to the approval of the Draft Plan of Condominium application, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval File 19CDM-14V009
2. Context Location Map
3. Location Map
4. Approved Site Plan (File DA.13.093)
5. Draft Plan of Condominium File 19CDM-14V009

Report prepared by:

Margaret Holyday, Planner, ext. 8216
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 DECEMBER 2, 2014

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V009
MELRUTH DEVELOPMENT CORPORATION
WARD 1 – VICINITY OF RUTHERFORD ROAD AND MELVILLE AVENUE

Recommendation

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3. Location Map
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5. Draft Plan of Condominium File 19CDM-14V009

Report prepared by:

Margaret Holyday, Planner, ext. 8216
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V009 (STANDARD-COMMERCIAL) MELRUTH DEVELOPMENT CORPORATION PART OF LOT 16, CONCESSION 4, 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-14V009, ARE AS FOLLOWS:

City of Vaughan

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Guido Papa Surveying Ltd., Reference No. 14-326, dated October 16, 2014.
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. 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, which may be outstanding from the site plan approval process (Files DA.13.093 and DA.14.054).
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 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 Development Finance and Investments Department.

Canada Post

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

Bell Canada

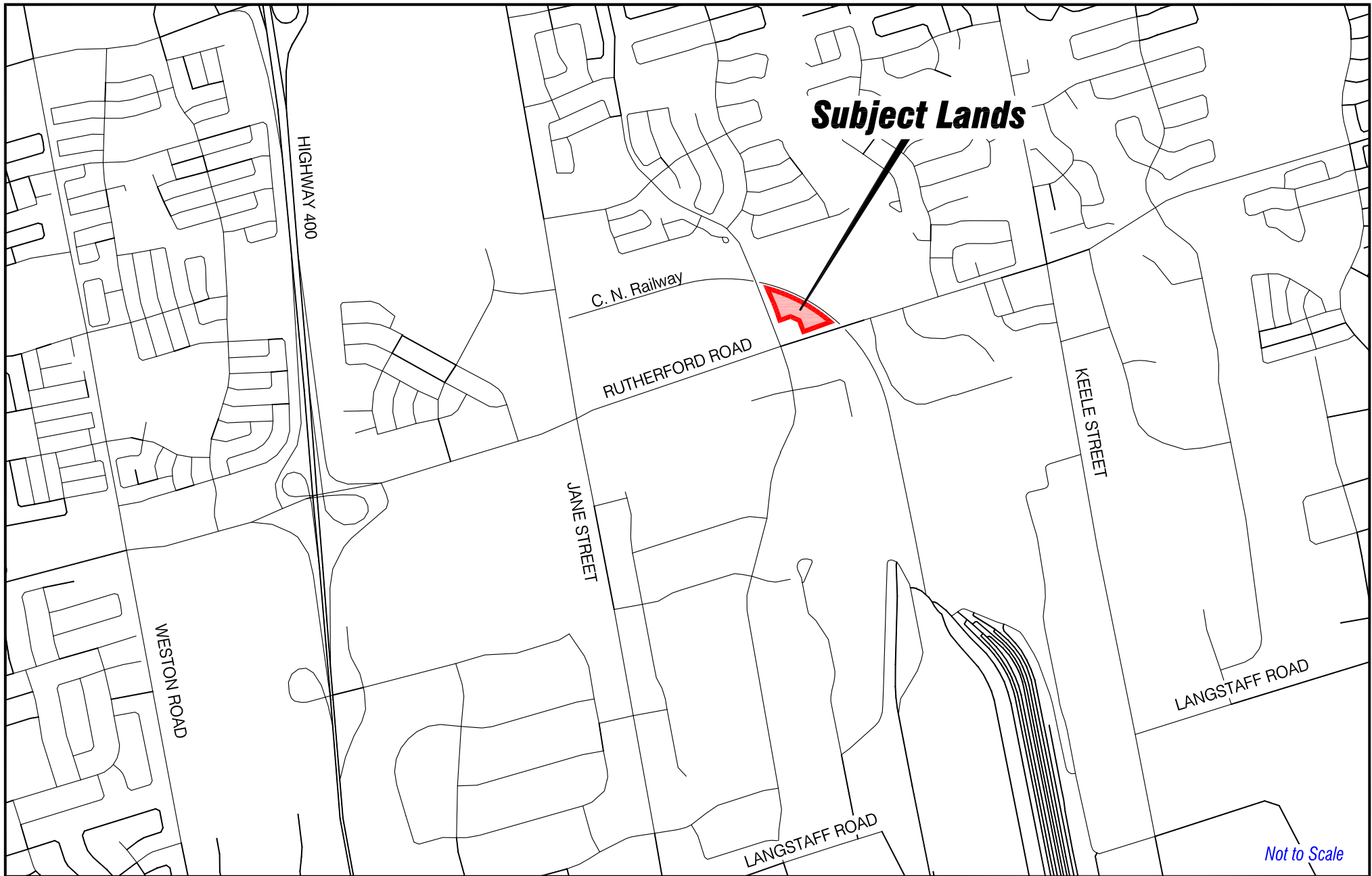
10. The Owner shall grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
11. 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.

York Region

12. 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

13. The City of Vaughan (Vaughan Planning Department) shall advise that Conditions 1 to 8 have been satisfied.
14. Canada Post shall advise the Vaughan Planning Department in writing that Condition 9 has been satisfied.
15. Bell Canada shall advise the Vaughan Planning Department in writing that Conditions 10 and 11 have been satisfied.
16. The Region of York Transportation and Community Planning Department shall advise the Vaughan Planning Department in writing that Condition 12 has been satisfied.



Context Location Map

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Melruth Development Corporation

N:\DFT\1 ATTACHMENTS\19\19cdm-14v009a.dwg

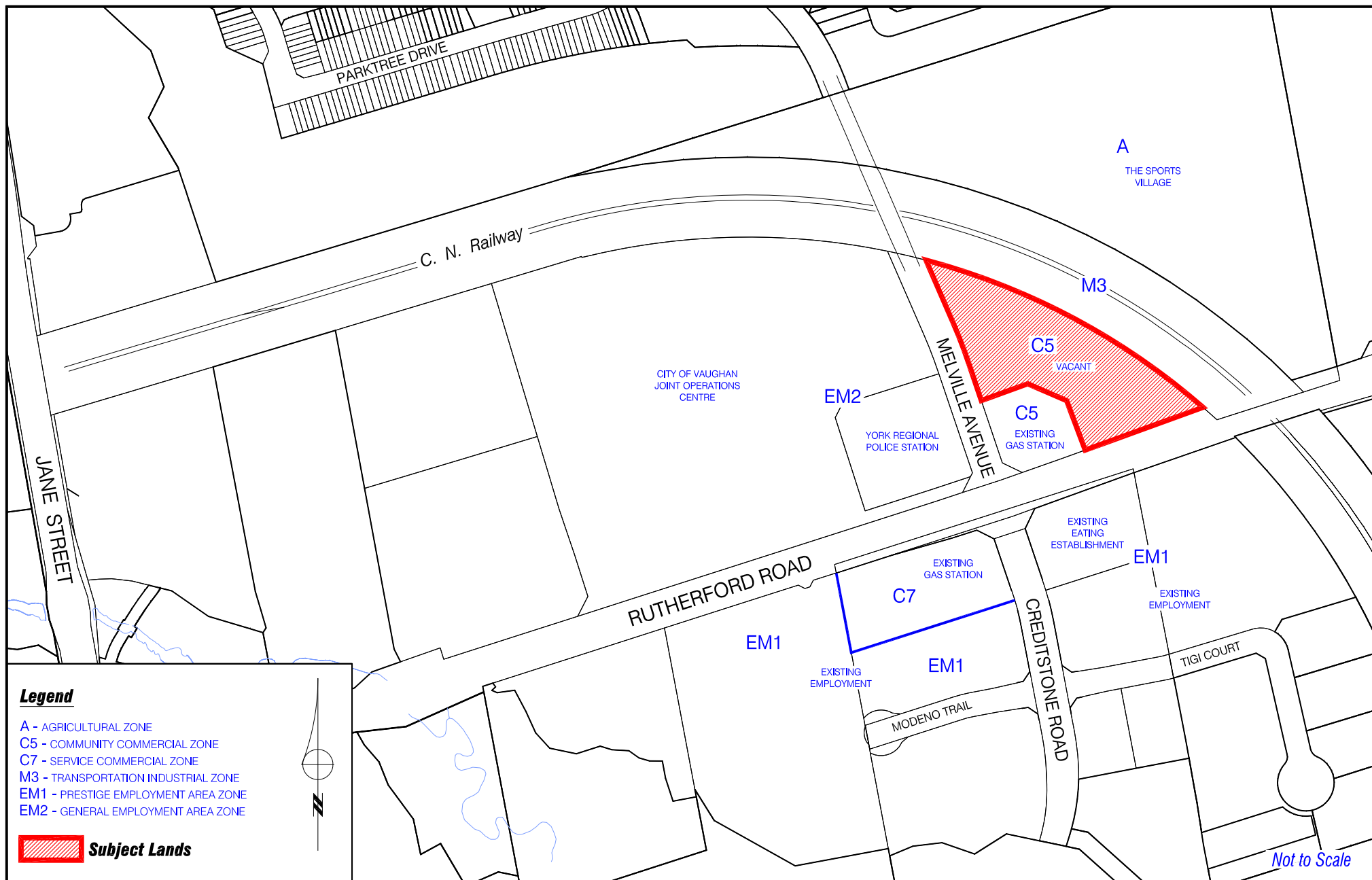


Attachment

FILE: 19CDM-14V009
RELATED FILE: DA.13.093

DATE:
December 2, 2014

2



Location Map

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Melruth Development Corporation

N:\DFT\1 ATTACHMENTS\19\19cdm-14v009a.dwg

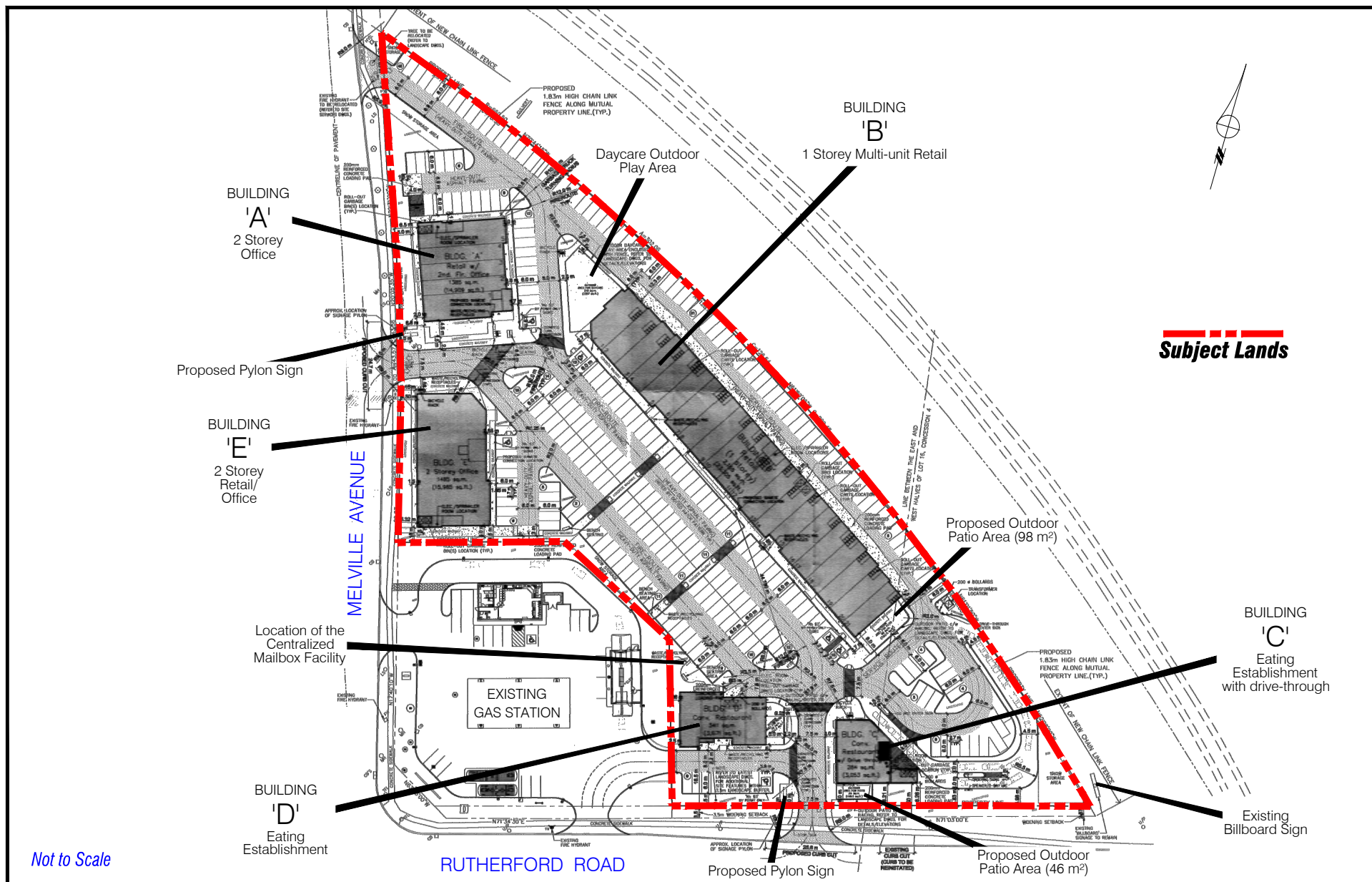


Attachment

FILE: 19CDM-14V009
RELATED FILE: DA.13.093

DATE:
December 2, 2014

3



Approved Site Plan
(File DA.13.093)

APPLICANT: Melruth Development Corporation

LOCATION: Part of Lot 16, Concession 4

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Part of Lot 16, Concession 4

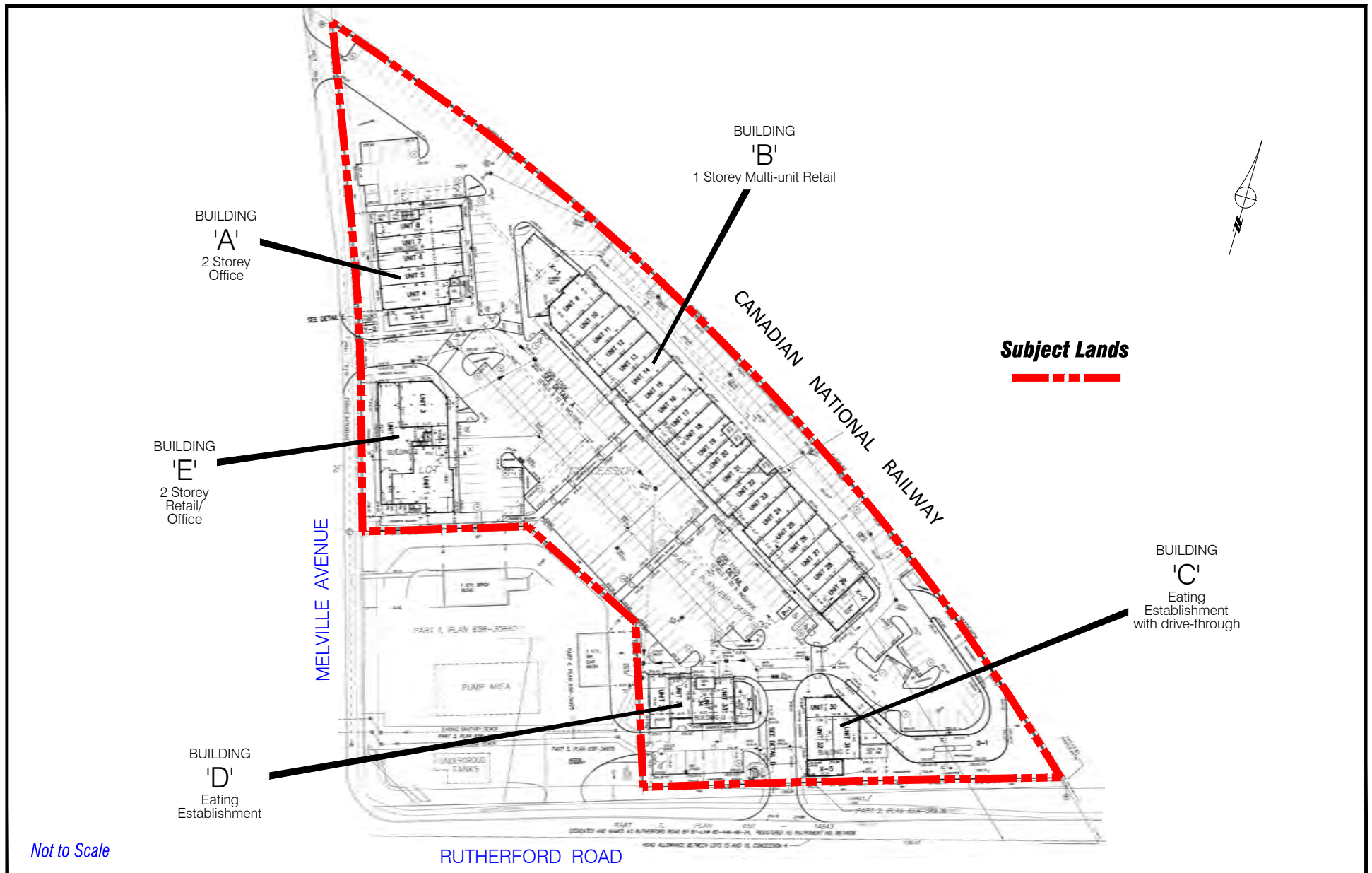


Attachment

FILE:19CDM-14V009
RELATED FILE: DA.13.093

DATE:
December 2, 2014

4



Draft Plan of Condominium (File 19CDM-14V009)

APPLICANT: Melruth Development Corporation
LOCATION: Part of Lot 16, Concession 4



Attachment

FILE: 19CDM-14V009
RELATED FILE: DA.13.093

DATE:
December 2, 2014

5