



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** June 19, 2018

**Report Number:** SRPRS.18.159

**Department:** Planning and Regulatory Services

**Division:** Development Planning

**Subject:** **SRPRS.18.159 – Request for Approval – Draft Plan of Condominium – The Gates of Bayview Glen Phase IX Corporation – Town File D05-17005 (19CDM(R)-17005)**

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### **Owner:**

The Gates of Bayview Glen Phase IX Corporation  
50 Confederation Parkway  
Concord, Ontario  
L4K 4T8

### **Agent:**

Saddlebrook Management Consultants Inc.  
40 Snidercroft Road, Unit 1  
Concord, Ontario  
L4K 0B5

### **Location:**

Legal Description: Part of Lots 37 and 38, Concession 1, E.Y.S.  
Municipal Address: 65 Oneida Crescent

### **Purpose:**

A request for approval of a draft Plan of Condominium concerning a mixed use high density residential/commercial development that is currently under construction on the subject lands.

### **Recommendations:**

- a) **That the proposed draft Plan of Condominium submitted by Saddlebrook Management Consultants Inc. for lands known as Part of Lots 37 and 38, Concession 1, E.Y.S. (Municipal Address: 65 Oneida Crescent), Town File D05-17005 (19CDM(R)-17005), be draft approved, subject to the following:**

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- i) That draft approval be subject to the conditions as set out in Appendix “A” to SRPRS.18.159; and,
- ii) That prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the Town’s Tariff of Fees By-law 79-19.

### Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or  
Deborah Giannetta, Manager of Development – Site Plans, phone number 905-771-5542

### Report Approval:

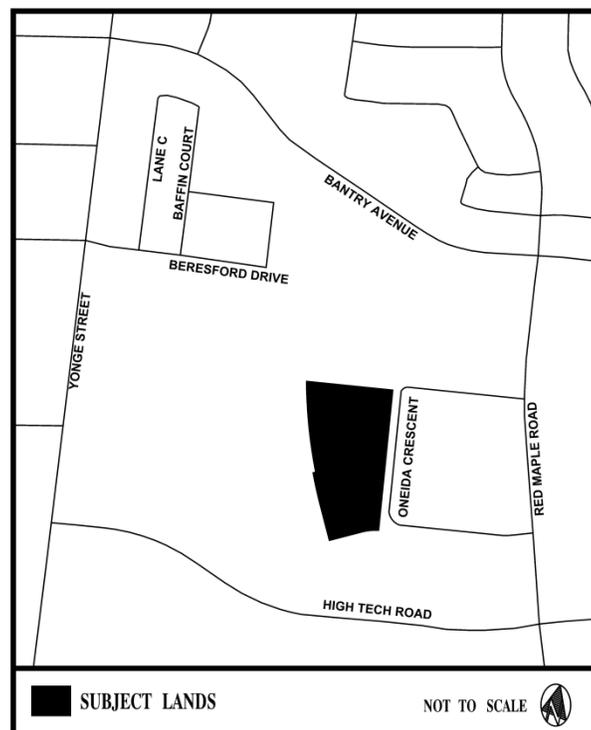
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

### Location Map

Below is a map displaying the property location. Should you require an alternative format call the person listed under “Contact Person” above.



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### Background Information

The subject draft Plan of Condominium application was received and deemed complete by the Town on July 12, 2017. The application was subsequently circulated to Town departments and external agencies for review and comment. The subject lands form part of a larger development that will ultimately consist of six high density residential towers with associated podiums. The purpose of this report is to seek Council's approval of the applicant's draft Plan of Condominium.

### Summary Analysis

#### Site Location and Adjacent Uses

The subject lands are located on the west side of Oneida Crescent, north of High Tech Road and have a total lot area of approximately 0.6534 hectares (1.615 acres). A high density residential development is currently under construction on the lands. The lands abut vacant lands to the north, Oneida Crescent to the east, an apartment building to the south and the CN Railway to the west (refer to Maps 1 and 2).

#### Development Proposal

The applicant is requesting approval of a draft Plan of Condominium pursuant to Section 51 of the *Planning Act*, R.S.O., 1990, in order to establish standard condominium tenure for the approved twenty storey residential development currently under construction on its land holdings (refer to Map 4). The following is a summary of the development statistics for the development based on the plans and drawings submitted to the Town:

- **Site Area: 0.6534 hectares (1.615 acres)**
- **Building Height: 20 storeys**
- **Number of Dwelling Units: 218 units**
- **Total Gross Floor Area: 27,642 square metres (297,536 square feet)**
- **Resident Parking Spaces: 246**
- **Visitor Parking Spaces: 55**

### Planning Analysis

#### Zoning

The subject lands are zoned **Special Commercial Five (SC-5) Zone** under By-law No. 278-96, as amended, with site specific development standards (refer to Map 3). The **SC-5 Zone** permits apartment buildings and a wide range of commercial and institutional uses.

#### Site Plan Approval

Site Plan approval for the high density residential development on the subject lands was issued by the Town on October 19, 2011 and a Site Plan Agreement was registered on

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December 5, 2011 at the Land Registry Office as Instrument YR1753271. The development is currently under construction.

### Draft Plan of Condominium

Planning Staff has reviewed the Draft Plan of Condominium, dated May 2, 2017, and notes that the submitted draft Plan is in keeping with the approved Site Plan Agreement for the subject development. On this basis, staff would recommend that the applicant's draft Plan of Condominium be approved subject to the conditions of approval set out in Appendix A to this report.

### Financial/Staffing/Other Implications

The recommendation does not have any financial, staffing or other implications.

### Relationship to Strategic Plan

The application would achieve **Goal Two** of the **Town's Strategic Plan – Better Choice in Richmond Hill** by enhancing the housing and tenure options available for residents within the Town. The proposal would also align with **Goal Four – Wise Management of Resources in Richmond Hill** in representing efficient use of available land.

### Conclusions

The applicant is seeking Council's approval of a draft Plan of Condominium related to a twenty storey residential development on its land holdings. Planning Staff is satisfied that the proposed draft Plan of Condominium is appropriate and represents proper and orderly planning. Accordingly, staff recommends that the applicant's request be approved subject to the conditions set out in Appendix "A" to this report and the applicant paying the applicable processing fees in accordance with the Town's Tariff of Fees By-law No. 79-17.

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### **Appendix Contents and Maps:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A, Schedule of Draft Conditions 19CDM(R)-17005
- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Approved Site Plan
- Map 5 Draft Plan of Condominium 19CDM(R)-17005

**Appendix A**  
**Schedule of Conditions**  
**“Standard Condominium”**  
**Draft Plan of Condominium**

**The Gates of Bayview Glen Phase IX Corporation**  
**Part of Lots 37 and 38, Concession 1, E.Y.S.**  
**Town of Richmond Hill**

**Town File: D05-17005 (19CDM(R)-17005)**

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The conditions of the Council of the Town Of Richmond Hill to be satisfied prior to the release for registration of Plan of Condominium 19CDM(R)-17005, Town of Richmond Hill, are as follows:

**Town of Richmond Hill**

**Planning and Regulatory Services Department (Development Planning Division)**

1. Approval shall relate to a Draft Plan of Condominium prepared by WSP Geomatics Ontario Limited, Ontario Land Surveyors, Drawing No. 21-11-093-300, dated May 2, 2017.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the Town dated October 19, 2011 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR1753271, to the satisfaction of the Commissioner of Planning and Regulatory Services.
3. The Owner shall enter into a Condominium Agreement, if required to do so by the Town which shall be registered on title and to the satisfaction of the Town Solicitor, in priority to all other claims or interest.
4. The Owner shall submit plans of Condominium pre-approved by the Land Registry Office, satisfactory to the Town, prior to final approval of the Plan of Condominium.
5. Prior to final approval, the Owner shall, if required to do so by the Town, submit to and obtain the approval of the Town for the form and content of the Condominium Description and Declaration and the Owner shall incorporate into the Plan and Declaration under Section 7 of the *Condominium Act*, 1998, all

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right(s)-of-way and easements for vehicular access, on-site traffic circulation, municipal servicing or utility servicing to the satisfaction of the Town.

### **Planning and Regulatory Services Department (Regulatory Services Division)**

6. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Architect's Certificate or other certification, satisfactory to the Town, stating that all buildings are substantially completed to the extent that all boundaries of the units to be created have been constructed.
7. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Ontario Land Surveyor's Certificate stating that all buildings have been located on the ground in accordance with the Site Plan contained in the said Site Plan Agreement between the Owner and the Town dated February 6, 2015.
8. Prior to final approval of the Plan, the Owner shall have fully complied with all orders issued pursuant to the *Building Code Act*, 1992 and shall have completed all work necessary to correct any building deficiencies related to said order to the satisfaction of the Town.

### **Planning and Regulatory Services Department (Development Engineering Division)**

9. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of Engineer's Certificate stating that all grading, drainage, above and below ground services, asphalt paving, concrete works and demarcation of parking spaces have been substantially completed in accordance with the plans and conditions in the said Site Plan Agreement. To guarantee completion of the aforesaid work, the letter of credit secured through the Site Plan Agreement will be kept in full force by the Town.
10. The Owner shall file with the Town, if required to do so by the Town, certification from a Professional Engineer or Ontario Land Surveyor or Solicitor authorized to practice in the Province of Ontario that all necessary easements required to service the lands within the Plan and any adjoining lands (if such adjoining lands were, at any time, a single parcel of land with the lands within the Plan) for, but not limited to, access, parking, street lighting, water, sanitary sewer, storm sewer, structural support grading, retaining walls, low impact development features, amenity areas, access and maintenance purposes, have been lawfully created or will be lawfully created upon the registration of the Declaration referred to in Condition 5.

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### **Planning and Regulatory Services Department (Parks and Natural Heritage Planning Section)**

11. The Owner shall agree within the Condominium Declaration to make provisions for the ongoing maintenance of all common element landscape areas.
12. The Owner shall complete all required landscape works to the satisfaction of the Commissioner of Planning and Regulatory Services.
13. Prior to registration, the Owner shall submit a survey showing as-built condition of the parking structure with the limits of the Town's stratified park land and amend the title to these lands to reflect the as-built conditions.

### **Corporate & Financial Services**

14. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the Town.
15. The Owner shall pay any outstanding taxes owing to the Town.
16. The Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

### **Clearance Conditions**

17. The Town shall advise that Conditions 1 to 16 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.

**Note: Where Final Approval For Registration Has Not Been Given Within Three (3) Years After The Date Upon Which Approval To The Proposed Plan Of Condominium Was Given, The Town Of Richmond Hill May, In Its Discretion And Pursuant To The *Planning Act*, R.S.O. 1990, Withdraw Its Approval To This Proposed Plan Of Condominium, Unless Approval Has Been Sooner Withdrawn, But The Town Of Richmond Hill May, From Time To Time, Extend The Duration Of The Approval.**

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### Report Approval Details

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|----------------------|--|
| Document Title:      | SRPRS.18.159 - 65 Oneida Crescent - D05-17005 (THE GATES OF BAYVIEW GLEN PHASE IX CORPORATION.docx   |
| Attachments:         | <ul style="list-style-type: none"><li>- MAP_1_AERIAL_PHOTOGRAPH.pdf</li><li>- MAP_2_NEIGHBOURHOOD_CONTEXT_S517005A.pdf</li><li>- MAP_3_EXISTING_ZONING_S517005A.pdf</li><li>- MAP_4_APPROVED_SITE_PLAN.pdf</li><li>- MAP_5_DRAFT_PLAN_OF_CONDOMINIUM_CDM-R-17005.pdf</li></ul> |
| Final Approval Date: | Jun 8, 2018  |

This report and all of its attachments were approved and signed as outlined below:

**Gus Galanis - Jun 5, 2018 - 12:49 PM**

**Kelvin Kwan - Jun 5, 2018 - 1:24 PM**

**Neil Garbe - Jun 8, 2018 - 11:02 AM**