



Staff Report for City Manager Delegated Authority

Date of Meeting: January 27, 2022

Report Number: D.A.22.003

Department: Planning and Infrastructure
Division: Development Planning

Subject: D.A.22.003 – Request for Approval – Draft Plan of Condominium – Dormer Bond Inc. – City File D05-21003

Owner and Agent:

Dormer Bond Inc.
255 Duncan Mill Road, Suite 204
Toronto, ON
M3B 3H9

Location:

Legal Description: Lot 72 and Part of Lots 68, 69, 70, 71 and 73, Plan 136 and Part of Bostwick Crescent, Plan 136
Municipal Address: 12850, 12860, 12864, 12868, 12874 and 12890 Yonge Street, and 1, 3 and 5 Bond Crescent

Purpose:

A request for approval of a draft Plan of Condominium application to establish standard condominium tenure concerning a residential development to be comprised of 120 stacked townhouse dwelling units on the subject lands.

Recommendations:

- a) That the draft Plan of Condominium application submitted by Dormer Bond Inc. for the lands known as Lot 72 and Part of Lots 68, 69, 70, 71 and 73, Plan 136 and Part of Bostwick Crescent, Plan 136 (Municipal Addresses: 12850, 12860, 12864, 12874 and 12890 Yonge Street and 1, 3 and 5 Bond Crescent), City File D05-21003, be approved, subject to the following:
 - (i) that draft approval be subject to the conditions as set out in Appendix “A” to Staff Report D.A.22.003; and,

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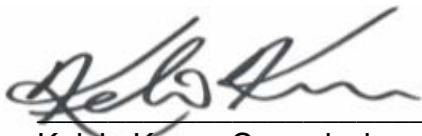
- (ii) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City's Tariff of Fees By-law.

Contact Person:

Simone Fiore, Planner II – Subdivisions, phone number 905-771-2479 and/or
Denis Beaulieu, Manager of Development – Subdivisions, phone number 905-771-2540

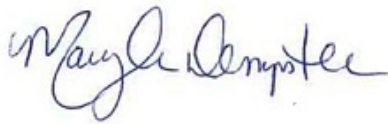
Report Approval:

Submitted by:



Kelvin Kwan, Commissioner of Planning and Infrastructure

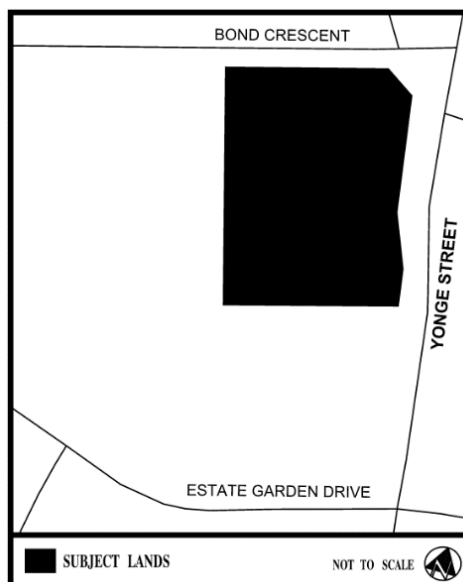
Approved by:



Mary-Anne Dempster, City Manager

Location Map:

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



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Background:

The subject draft Plan of Condominium application was received and deemed complete by the City on August 21, 2021. The application was subsequently circulated to City departments and external agencies for review and comment. The purpose of this application is to implement standard condominium tenure for a medium density residential development currently under construction on the subject lands. In this regard, the subject application is related to a previously approved Site Plan application (File D06-18017) and a Site Plan Agreement which was registered on September 7, 2021. Accordingly, the purpose of this report is to seek approval of the applicant's draft Plan of Condominium application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southwest corner of Yonge Street and Bond Crescent, and have a total lot area of 1.285 hectares (3.18 acres) (refer to Map 1). The lands are a consolidation of multiple properties and a townhouse development is currently under construction on the site. The lands abut a four storey apartment building to the west, office buildings and a public park to the south, Yonge Street to the east and Bond Crescent to the north.

Development Proposal

The applicant is seeking approval of its draft Plan of Condominium application pursuant to Section 51 of the *Planning Act*, R.S.O., 1990, in order to establish standard condominium tenure for the townhouse development currently under construction on its land holdings (refer to Map 5). The following is a summary of the development statistics based on the plans and drawings submitted to the City:

- **Total Lot Area (Net):** 1.262 hectares (3.118 acres)
- **Total Number of Units:** 120 stacked townhouses
- **Floor Area Ratio (FAR):** 0.95
- **Density:** 93.38 units per hectare (37.79 units per acre)
- **Building Height:** 3 storeys or 10.75 metres (35.27 feet)
- **Parking Spaces:** 138
 - Resident Spaces: 120 (1 space per unit)
 - Visitor Spaces: 18

Planning Analysis:

City of Richmond Hill Official Plan

The subject lands are designated **Oak Ridges Local Centre** in accordance with Schedule A2 – Land Use of the City's Official Plan ("Plan") (refer to Map 2). Uses permitted within the **Oak Ridges Local Centre** designation include, amongst others,

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medium density residential uses. In this regard, the stacked townhouse dwellings approved and under construction on the subject lands are permitted within the **Oak Ridges Local Centre**. Further, in accordance with **Policies 4.3.2.5** and **4.3.2.8** of the Plan, the maximum density of a development block in the **Oak Ridges Local Centre** designation shall be a Floor Space Index (FSI) of 1.0 and development shall have a maximum building height of four storeys. Therefore, the approved building height of three storeys and FSI of 0.95 conform with the Plan.

Zoning By-law

The subject lands are zoned **Multiple Residential One (RM1) Zone** under By-law 313-96, as amended by By-law 158-19. The existing zoning includes site specific development standards which implement the approved medium density residential development on the subject lands (refer to Map 3). The **RM1 Zone** permits stacked townhouse dwelling units and therefore the development complies with the applicable provisions of the Zoning By-law.

Site Plan

As noted previously in this report, a Site Plan Agreement for the subject development was executed on January 28, 2020 and registered at the Land Registry Office on September 7, 2021 as Instrument No. YR3309782 (refer to Map 4).

Draft Plan of Condominium

Planning staff has reviewed the submitted draft Plan of Condominium and advises that it is generally consistent with the approved Site Plan for the development presently under construction on the subject lands (refer to Map 5). Furthermore, circulated City departments and external agencies have advised of no concerns or objections to the application and/or have provided conditions of approval for the proposed draft Plan of Condominium. These conditions of approval are included in the Schedule of Conditions attached hereto as Appendix “A”.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

Relationship to Council’s Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Getting Around the City** by providing a housing development with a direct connection to an existing bus route on Yonge Street, providing a range of transportation methods to get around the City. The proposal also aligns with a **Strong Sense of Belonging** by providing new housing in an established area of the City.

Climate Change Considerations:

The recommendations of this report do not have any climate change considerations.

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Conclusion:

The applicant is seeking approval of a draft Plan of Condominium application in order to establish standard condominium tenure for an approved medium density residential development to be comprised of 120 stacked townhouse dwelling units presently under construction on the subject lands. Planning staff are satisfied that the proposed draft Plan of Condominium is appropriate and represents good planning. Therefore, staff recommends that the application be approved, subject to the conditions set out in Appendix “A” to this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix “A”, Schedule of Draft Conditions, 19CDM(R)-21003
- Map 1, Aerial Photograph
- Map 2, Official Plan Designation
- Map 3, Existing Zoning
- Map 4, Site Plan
- Map 5, Draft Plan of Condominium, 19CDM(R)-21003

Appendix “A”

Schedule of Conditions “Standard Condominium”

Draft Plan of Condominium

**Dormer Bond Inc.
Lot 72 and Part of Lots 68, 69, 70, 71 and 73, Plan 136 and
Part of Bostwick Crescent, Plan 136
City of Richmond Hill**

City File: D05-21003 (19CDM(R)-21003)

The conditions of the Council of the City of Richmond Hill to be satisfied prior to the release for registration of Plan of Condominium 19CDM(R)-21003, City of Richmond Hill, are as follows:

City of Richmond Hill

Planning and Infrastructure Department (Development Planning Division)

1. Approval shall relate to a Draft Plan of Condominium prepared by KRCMAR Surveyors Ltd., Job Number 19-053, Drawing 19-053DC01, dated June 29, 2021.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner, the City and the Regional Municipality of York dated December 2, 2020 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument YR3309782, to the satisfaction of the Commissioner of Planning and Infrastructure.
3. The Owner shall submit plans of Condominium pre-approved by the Land Registry Office, satisfactory to the City, prior to final approval of the Plan of Condominium.
4. Prior to final approval, the Owner shall, if required to do so by the City, submit to and obtain the approval of the City 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 right(s)-of-way and easements for vehicular access, on-site traffic circulation, municipal servicing or utility servicing to the satisfaction of the City.

Planning and Infrastructure Department (Building Division)

5. Prior to final approval of the Plan, the Owner shall provide the City with evidence in the form of an Architect's Certificate or other certification, satisfactory to the City, stating that all buildings are substantially completed to the extent that all boundaries of the units to be created have been constructed.

6. Prior to final approval of the Plan, the Owner shall provide the City 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, the City and the Regional Municipality of York dated December 2, 2020.
7. 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 City.

Planning and Infrastructure Department (Development Engineering Division)

8. Prior to final approval of the Plan, the Owner shall provide the City 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 City.
9. The Owner shall file with the City, if required to do so by the City, 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, water, sanitary sewer and 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 4.
10. The Owner shall include the following noise warning clauses in the Condominium Declaration as per the approved Noise Feasibility Study for the Subject Lands, by HGC Engineering Limited, dated May 6, 2019:

Type A:

"Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks"

Type C:

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of the Environment, Conservation and Parks."

Type D:

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria."

Type E:

"Purchasers are advised of the proximity of adjacent commercial facilities, noise from the facilities may be audible."

Planning and Infrastructure Department (Park 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 Infrastructure.

Corporate and Financial Services Department

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

Community Services Department

16. The Owner shall include the following warning clauses in the Condominium Declaration:

"Owners/tenants are advised that the Condominium Corporation's eligibility for municipal waste collection is dependent on continued compliance with municipal waste collection requirements, standards and by-laws, as amended from time to time."

"Owners/tenants of the 26 stacked townhouse units are advised that the Condominium Corporation is required to provide bulk waste containers ("Bulk Waste Containers") in a designated location and to control access to such Bulk Waste Containers to prevent overfilling and dumping and to ensure that they are used only by owners/tenants of stacked townhouse units. Owners/tenants of the 26 stacked townhouse units are advised that they will receive only bulk waste collection as opposed to curbside collection and will need to drop off their waste in the Bulk Waste Containers at the location designated by the Condominium Corporation."

"Owners/tenants of the 94 townhouse units with garages are advised that as long as the Condominium Corporation is receiving municipal waste collection, they are eligible to receive curbside waste collection. Owners/tenants of the 94 townhouse units with garages are further advised that they are prohibited from using the Bulk Waste Containers, which are designated for use only by owners/tenants of 26 stacked townhouse units."

Regional Municipality of York

17. Prior to final approval, the Owner shall provide confirmation that all of the conditions of Site Plan Approval issued for the subject property under Regional File No. SP.18.R.0115, have been satisfied.
18. Prior to final approval, the Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the subject property under Regional File No. SP.18.R.0115.
19. Prior to final approval, the Owner shall confirm that all works within the Yonge Street right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding 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 the amount sufficient to cover the cost of all outstanding works.
20. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligations have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.
21. The Owner shall include in all Agreements of Purchase and Sale and/or Lease, Condominium Agreement, Condominium Declaration the following warning clause:

"Despite the inclusion of noise attenuation features within the development area and within the individual units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."

Bell Canada

22. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
23. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Alectra Utilities

24. Prior to final approval, the Owner shall satisfy the requirements of Alectra Utilities with respect to the proposed condominium development on the subject lands.

Enbridge Gas Inc.

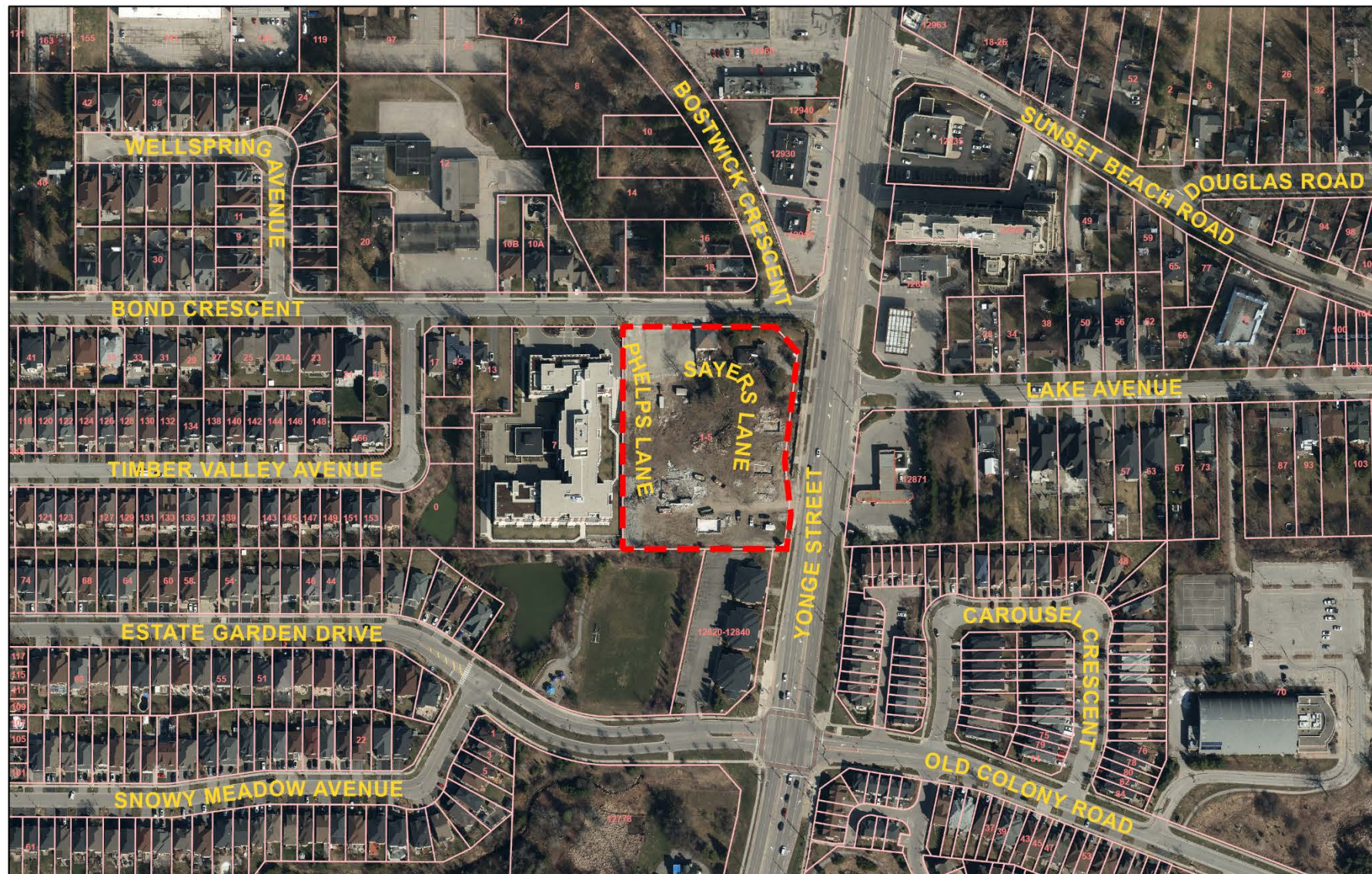
25. Prior to final approval, the Owner shall satisfy the requirements of Enbridge Gas Inc. with respect to the proposed condominium development on the subject lands.

Clearance Conditions

26. The City of Richmond Hill shall advise that Conditions 1 to 16 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
27. The Regional Municipality of York shall advise that Conditions 17 to 21 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
28. Bell Canada shall advise that Conditions 22 and 23 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
29. Alectra Utilities shall advise that Condition 24 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
30. Enbridge Gas Inc. shall advised that Condition 25 has been satisfied. The clearance letter shall include a brief statement detailing how the 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 City 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 City of Richmond Hill may, from time to time, extend the duration of the approval.

MAP 1 - AERIAL PHOTOGRAPH



LEGEND

 SUBJECT LANDS

12850 to 12890 Yonge Street
and 1 to 5 Bond Crescent

SF/VC D.A.22.003

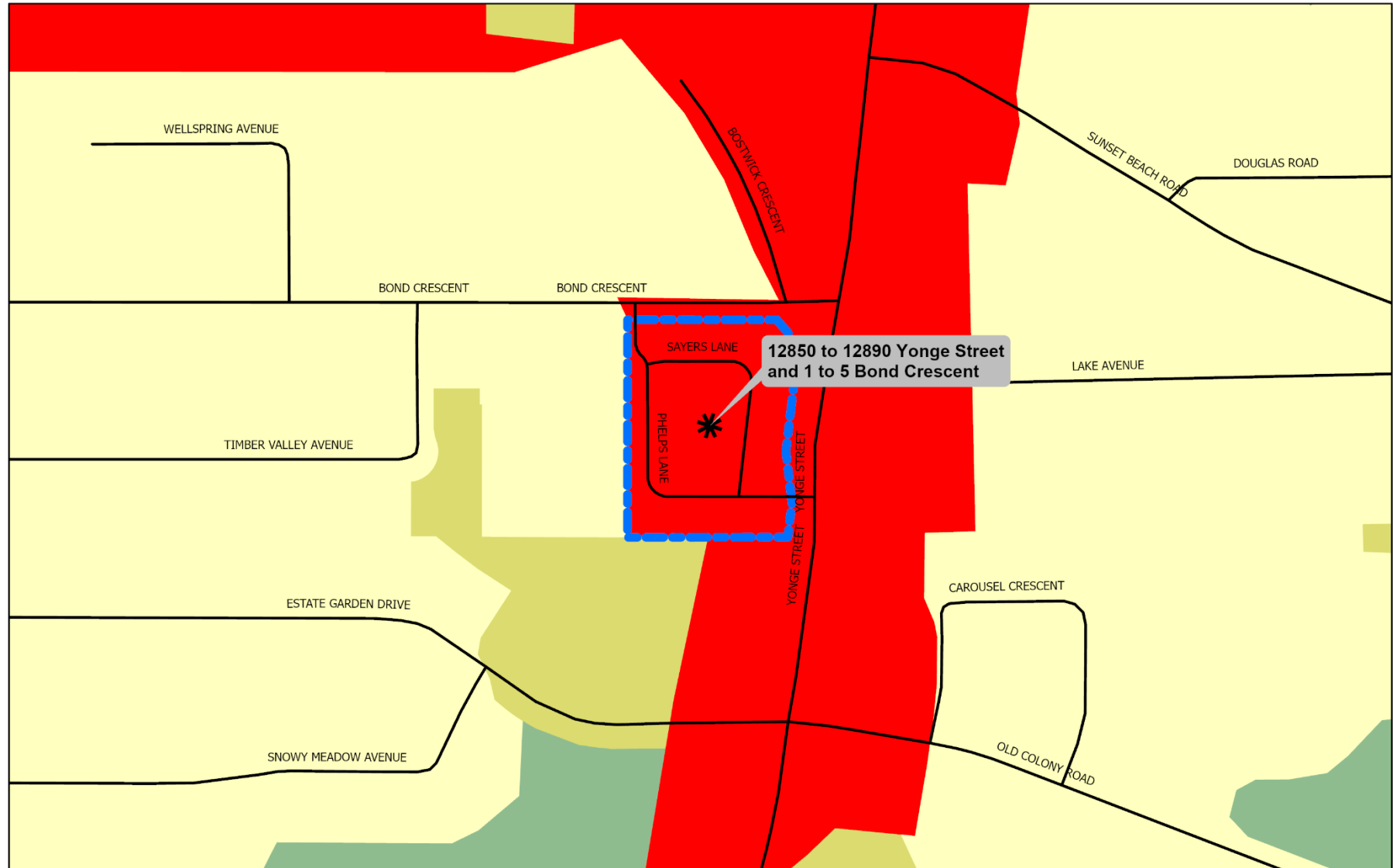
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BLOCK 08 File Nos. D05-21003








CITY OF RICHMOND HILL
PLANNING AND INFRASTRUCTURE
DEPARTMENT

MAP 2 - OFFICIAL PLAN DESIGNATION



Legend

-  Subject Lands
-  Oak Ridges Local Centre
-  Natural Core
-  Neighbourhood
-  Natural Linkage

12850 to 12890 Yonge Street
and 1 to 5 Bond Crescent

SF/VC D.A.22.003

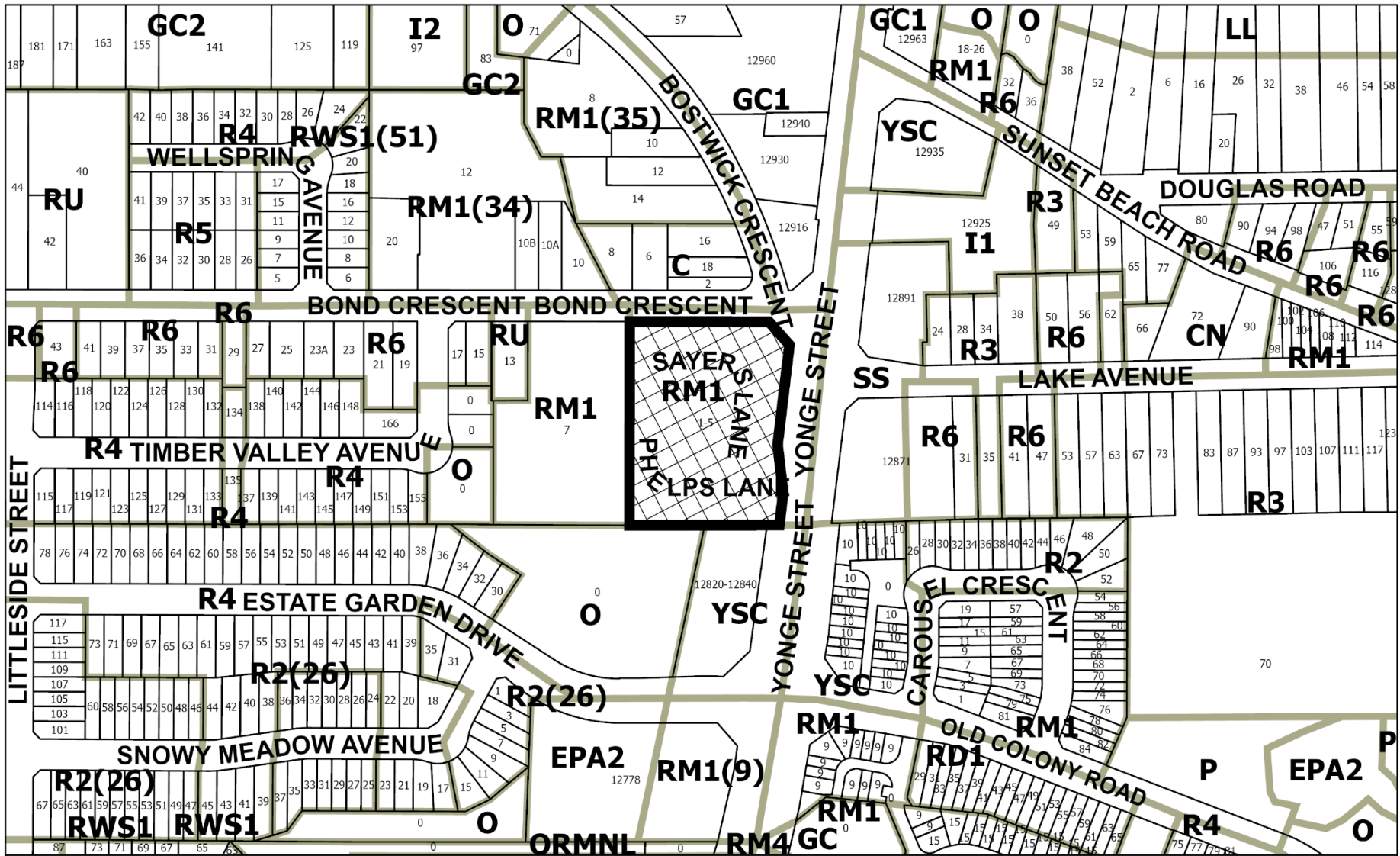
NOTE: The information provided in this map is a depiction of a portion of the Richmond Hill Official Plan. For accurate reference, the schedules and policies of the Richmond Hill Official Plan must be consulted. In the case of a discrepancy between the schedules and policies of the Richmond Hill Official Plan, the policies shall take precedence.

BLOCK 08 File Nos. D05-21003



CITY OF RICHMOND HILL
PLANNING AND INFRASTRUCTURE
DEPARTMENT

MAP 3 - EXISTING ZONING



Legend



Subject Lands

12850 to 12890 Yonge Street
and 1 to 5 Bond Crescent

SF/VC D.A.22.003

BLOCK 08 File Nos. D05-21003



CITY OF RICHMOND HILL
PLANNING AND INFRASTRUCTURE
DEPARTMENT

BOND CRESCENT

12850 to 12890 Yonge Street and 1 to 5 Bond Crescent

BLOCK 08 File Nos. D05-21003

**CITY OF RICHMOND HILL
PLANNING AND INFRASTRUCTURE
DEPARTMENT**

SF/VC D.A.22.003

BLOCK 08 **File Nos. D05-21003**

**CITY OF RICHMOND HILL
PLANNING AND INFRASTRUCTURE
DEPARTMENT**

MAP 5 - DRAFT PLAN OF CONDOMINIUM, 19CDM(R)-21003

