

**COMMITTEE OF THE WHOLE AUGUST 31, 2010**

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-10V004  
MARKET LANE HOLDINGS INC.  
WARD 2**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-10V004 (Market Lane Holdings Inc.) BE APPROVED, subject to the conditions of approval set out on Attachment #1.

**Contribution to Sustainability**

The site is developed, and the 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 a Draft Plan of Condominium (Standard) application for the subject lands shown on Attachments #2 and #3, to convert the existing mixed-use commercial rental property to a mixed-use commercial condominium as shown on Attachment #4. The proposed draft plan of condominium is to comprise of 52 freehold commercial units, 1 residential unit (Unit #32, which is located on the second floor above Unit #30), and 1 new pylon sign for exclusive use by the Owner to rent or sell signage space to future tenants and owners and is identified on the condominium plan as Unit #33.

**Background - Analysis and Options**

The subject lands shown on Attachments #2 and #3 are located on the north side of Woodbridge Avenue between Clarence Street and Wallace Street, municipally known as 124 -140 Woodbridge Avenue, in the City of Vaughan. The surrounding land uses are shown on Attachment #3.

The applicant is proposing to convert the existing commercial complex which is comprised of 7 multiple level buildings from a rental property to a plan of condominium as shown on Attachment #4. The conversion in tenure changes the manner in which title to the property is held. The existing landscaping and parking on the applicant's property will be common elements to the condominium.

The Owner has indicated that he would like the flexibility that a condominium ownership offers, specifically, the ability to sell a portion of the units and retain a portion for rent or lease, if required. The Owner plans to keep ownership of the entire complex and continue to rent or lease the units at this time.

**Official Plan/Zoning**

The subject lands are designated "Mixed Use Commercial" by OPA #240 (Woodbridge Community Plan), as amended by OPA #440, the Woodbridge Core Plan. A goal of OPA #440

is to strengthen the existing commercial stock through sensitive redevelopments and the preservation and restoration of historic buildings. A general policy and intention of the Woodbridge Core Plan is that the Woodbridge Historic Commercial Centre continue to fulfill a vital role in the Woodbridge Community as a unique focus of commercial, institutional and recreational services.

The proposed draft plan of condominium is a conversion of tenure from rental to freehold ownership with shared parking and landscaped areas and does not represent a decrease in the commercial retail base, but instead, fosters a healthier commercial base through unit ownership. The proposed draft plan of condominium conforms to the Official Plan.

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(348). The proposed draft plan of condominium does not change the current function of the site, nor does it propose any new buildings or uses, instead the only modification is in the manner in which the tenure is held. The proposed draft plan of condominium complies with Zoning By-law 1-88, except for a shortage in the number of required loading spaces from 4 to 1. The applicant will be required to provide 3 additional loading spaces, or alternatively, apply to the Vaughan Committee of Adjustment for approval of a Minor Variance, which must be in full force and effect, prior to the registration of the final condominium plan.

#### Existing Site Conditions

The Market Lane commercial complex currently utilizes 278 parking spaces, of which 101 spaces are located on City owned lands located to the east of the property, as shown on Attachments #2 and #3. An operating agreement registered on title allows the City owned lands to be used for parking, for the exclusive use of the shoppers and merchants (and their employees) of the Woodbridge Core area, and not for commuter parking. If and when the disposition of the municipal parking lot is determined, the 101 parking spaces currently utilized by Market Lane may not be available. Therefore, the 177 parking spaces on the property (Market Lane) and within the draft plan of condominium would exist to serve the site, and may result in the following parking deficiency:

Based on the current parking standards, parking is calculated as follows:

Market Lane Commercial GFA - 6469 m <sup>2</sup> @ 3.5 spaces/ 93 =	243 spaces
Parking Provided (not including municipal area) =	<u>177 spaces</u>
Parking Shortage =	66 spaces

Vaughan has undertaken a city-wide parking review to determine the appropriateness of the current parking standards and to determine new standards for future development. As part of the review of the Woodbridge Core, the existing parking condition for Market Lane was surveyed. The survey concluded that 60% of the parking located in Market Lane was used at the expected peak occupancy time. Other surveys conducted later in March and April, resulted in slightly higher peak utilization of approximately 72%. In addition, the survey also indicated that the municipal parking lot is less utilized.

The draft parking review report does propose a summary of parking standards for non-residential uses. The study identifies Market Lane as a Local Centre, and proposes a range of parking from 3 to 4.5 parking spaces; the applicable standard depends on criteria established in the parking study. Market Lane does not comprise of a supermarket, and has transit available, both factors which help reduce parking dependency. Using the minimum parking standard of 3 spaces proposed by the Parking Study for local centres parking would be calculated as follows:

Market Lane Commercial GFA - 6469 m <sup>2</sup> @ 3.0 spaces/ 93 =	194 spaces
Parking Provided (not including municipal area) =	<u>177 spaces</u>
Parking Shortage =	17 spaces

Based on the above, the site would be deficient 17 spaces, if and when the disposition of the City-owned land has been determined. If this should occur in the future, the applicant will be required to address the parking shortfall, or alternatively, obtain approval from the Vaughan Committee of Adjustment for a variance to the parking standard.

#### Garbage and Recycling Collection and Snow Removal

The collection of garbage and recycling, and the removal of snow will continue to be administered privately by the Owner/Condominium Corporation.

#### Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth and "Economic Vitality".

#### Regional Implications

The application was circulated to the Region of York Planning Department for comment. As of August 10, 2010, no comments have been received by the City. Any conditions required by the Region will be included in the City's Condominium Agreement with the applicant.

#### Conclusion

The Vaughan Development Planning Department has reviewed the Draft Plan of Condominium application, which conforms to the Official Plan and complies with the Zoning By-law, with the exception of a shortage of 3 loading spaces, which the Applicant must provide, or alternatively, obtain approval from the Vaughan Committee of Adjustment for a Minor Variance which must be in full force and effect prior to the registration of the final condominium plan. The Development Planning Department has no objection to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

#### Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium 19CDM-10V004

#### Report prepared by:

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Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/LG

## **ATTACHMENT NO. 1**

### **CONDITIONS OF APPROVAL**

#### **DRAFT PLAN OF CONDOMINIUM (STANDARD) 19CDM-10V004 MARKET LANE HOLDINGS INC. LOT 7, CONCESSION 7, CITY OF VAUGHAN**

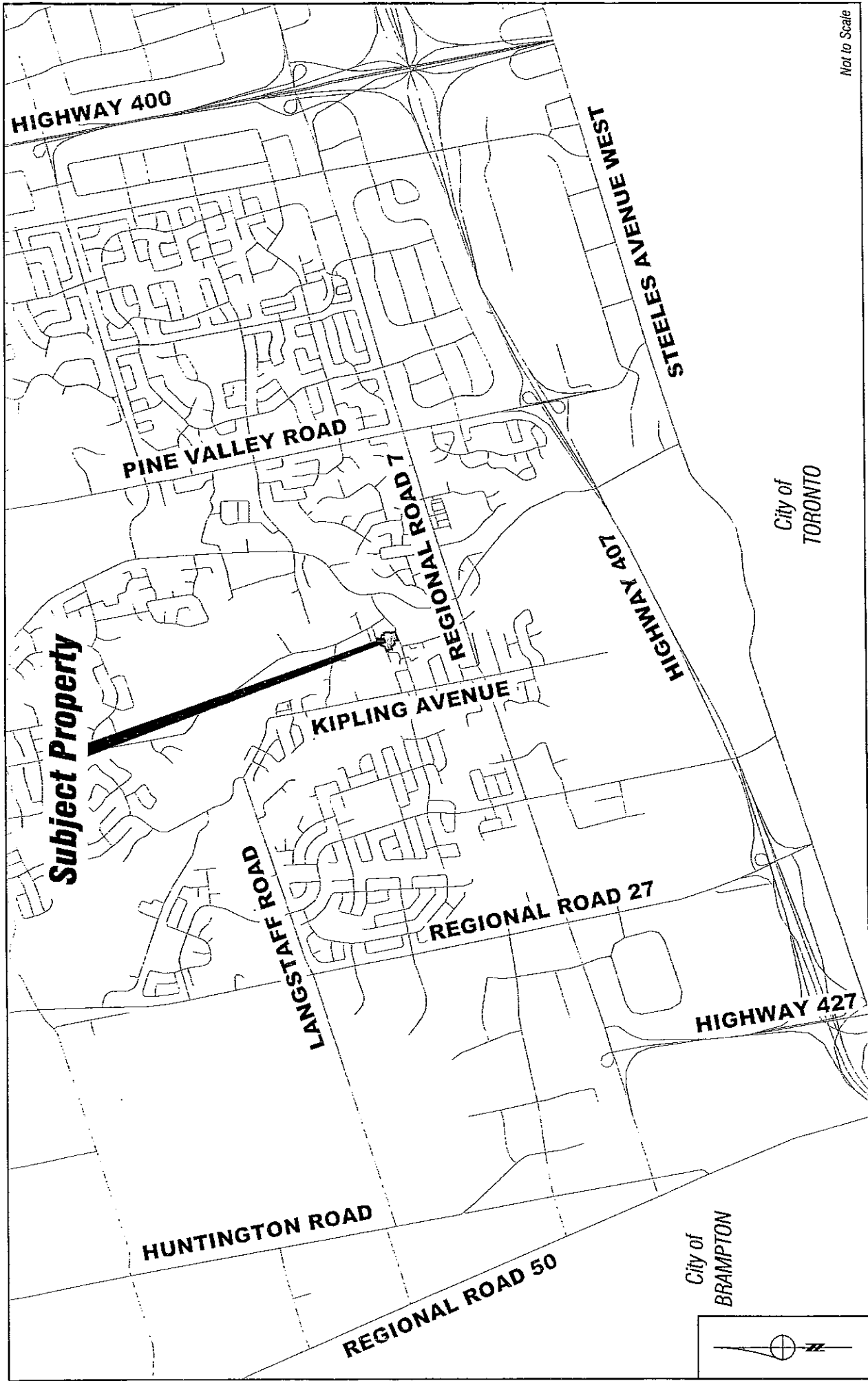
**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM 19CDM-10V004, ARE AS FOLLOWS:**

1. The Plan shall relate to a Draft Plan of Condominium (Standard), prepared by R. Avis Surveying Inc., Drawing No.1321-7DP1, dated May 5, 2010.
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 conditions with respect to such matters as landscaping, noise and site development and any other matters that the City may consider necessary.
4. The following provision(s) shall be included in the Condominium Agreement:
  - a) the Owner/Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
  - b) private garbage and recycling pick-up shall be the responsibility of the Owner/Condominium Corporation;
  - c) snow removal and clearing shall be the responsibility of the Owner/Condominium Corporation;
  - d) the Owner/Condominium Corporation shall maintain the existing mail equipment to the satisfaction of Canada Post; and,
  - e) the Owner/Condominium Corporation shall secure, if required, new easements and maintain the existing reciprocal agreements, servicing easements and cross-easements with adjacent properties.
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 provide 3 additional loading spaces on the subject property, or alternatively, apply to the Vaughan Committee of Adjustment for approval of a minor variance for the reduction in the required number of loading spaces under the City's Zoning By-law 1-88, which must be in full force and effect, prior to the registration of the final condominium plan.
7. Prior to final approval, the Owner shall submit an "as-built" survey for the existing built form on site to the satisfaction of the Vaughan Building Standards Department.

8. Prior to final approval, the Owner shall confirm that all existing and/or required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities to the satisfaction of the Vaughan Development Planning Department.
9. 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.
10. The Owner shall satisfy any conditions of the Region of York, if required.

Clearances

11. The City (Vaughan Development Planning Department) shall advise that Conditions 1 to 9 have been satisfied.
12. The Region of York (Regional Planning Department) shall advise that Condition 10 has been satisfied.



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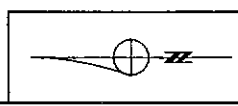
# Attachment

FILE: 19CDM-10V004  
 DATE: July 12, 2010

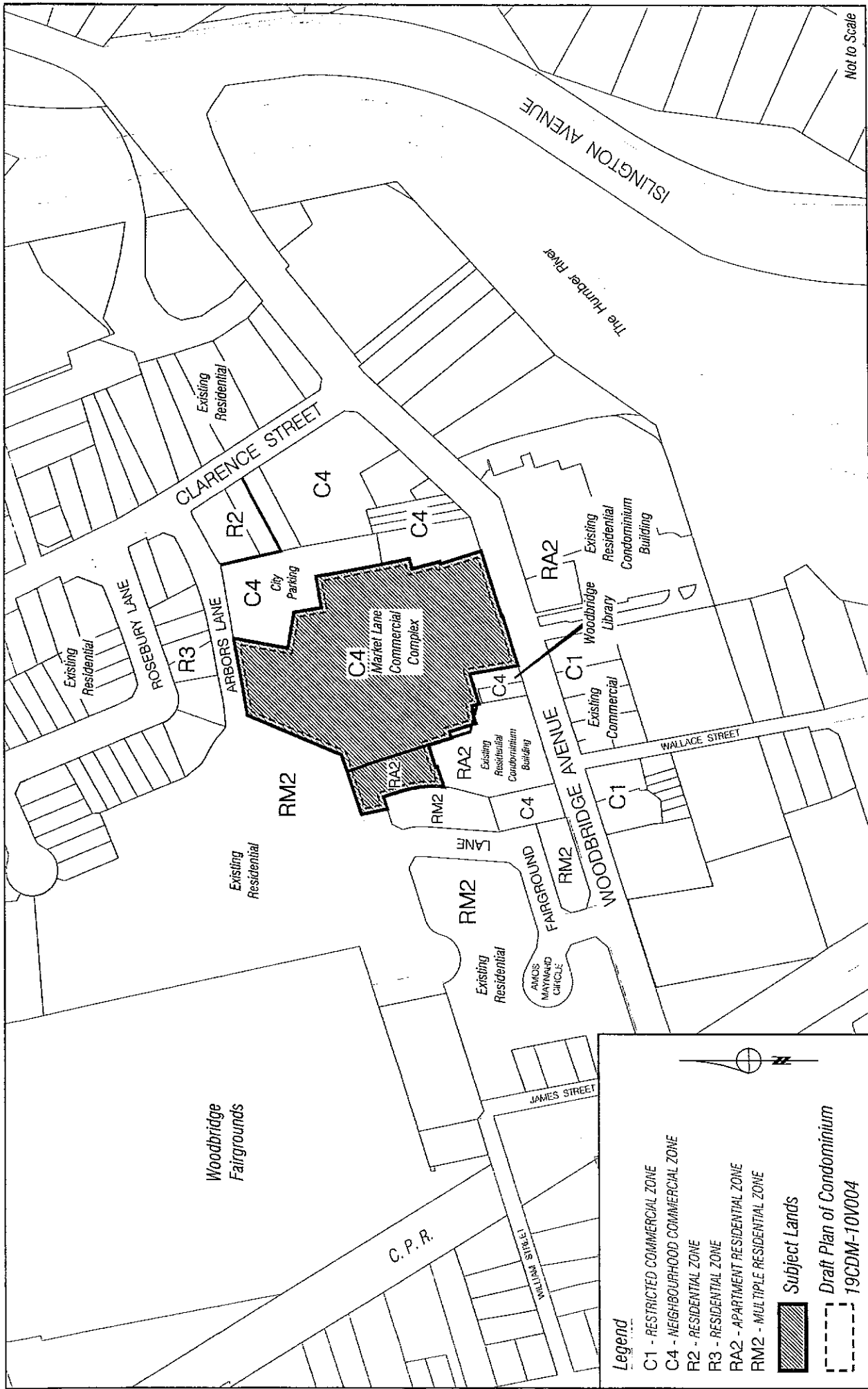


# Context Location Map

LOCATION:  
 Part Lot 7, Concession 7  
 APPLICANT:  
 Market Lane Holdings Inc.



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Not to Scale

# Attachment

FILE: 19CDM-10V004  
 DATE: July 12, 2010



# Location Map

LOCATION:  
 Part Lot 7, Concession 7

APPLICANT:  
 Market Lane Holdings Inc.

PROPERTY ATTACHEMENTS \VA\Vaughan-100004.dwg

