

COMMITTEE OF THE WHOLE SEPTEMBER 4, 2007

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-07V03
ALTERRA CUSTOM BUILDERS**

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium File 19CDM-07V03 (Alterra Custom Builders Inc.) BE APPROVED, subject to the conditions of approval set out in Attachment #1 and the following:
 - a) that prior to the registration of the final condominium plan, variances for a reduction in the length of 50 required parking spaces shall be obtained from the Committee of Adjustment, and shall be final and binding.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The Owner has submitted an application on the subject lands shown on Attachment #2, for approval of a Draft Plan of Condominium for Phase 1 of an overall two phase development. The first phase comprises an 8-storey, 182 unit, high-rise residential condominium building with 272 parking spaces as shown on Attachments #3, #4 and #5.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located at the northeast corner of Maison Parc Court and Dufferin Street, known municipally as 2 Maison Parc Court, City of Vaughan. The 14,806m² subject lands is currently developed with the 8-storey, high-rise apartment building. The surrounding land uses are:

- North - valley (OS1 Open Space Conservation Zone)
- South - Maison Parc Court; residential (RA3 Apartment Residential Zone) and park (OS2 Open Space Park Zone)
- East - valley (OS1 Open Space Conservation Zone)
- West - approved apartment residential (Phase 2 - RA3 Apartment Residential Zone); Dufferin Street

Official Plan/Zoning

The subject lands are designated "Mixed Commercial/Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan) as amended by OPA #471 and OPA #678, and zoned RA3 Apartment Residential Zone by By-law 1-88, subject to site-specific Exception 9(1216). The draft plan of condominium conforms to the Official Plan, and complies with the requirements of the site-specific Zoning By-law, with the exception of the length of 50 required parking spaces, which have been constructed with a deficient size.

Approval of a Minor Variance application will be required to be obtained from the Committee of Adjustment to address the as-constructed length of the combined tandem and standard parking spaces. By-law 1-88 requires the length of a standard space to be 6.0m, and the length of a tandem space to be 6.0m for a combined length of 12.0m. A total of 4 of the combination spaces on both the first and second levels range from 10.93m to 11.96m. Similarly, 46 of the standard parking spaces range between 5.77m to 5.92m.

Site Development

The 14,806m² site has frontage on Maison Parc Court and flankage along Dufferin Street. The site is served by a full-movement access on Maison Parc Court. The irregular-shaped building is located at the northeast end of the property and will be connected to Phase 2 of development (to be located directly to the west) through a single storey common entrance foyer. The proposed draft plan of condominium for Phase 1 is comprised of 182 residential units within an 8-storey high-rise building, which has completed construction. A total of 272 parking spaces have been provided for Phase 1 of development, of which 37 are on-grade visitor parking spaces. There are 235 underground resident parking spaces divided between 2 levels, the first having 113 spaces and the lower level having 122 spaces. Landscaping has been provided for around the perimeter of the site.

Application Review

As a condition of approval, the Owner will be required to submit an "as built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

The CN Rail line is located approximately 200m north of the subject lands. A condition of approval will require the inclusion of a warning clause in the condominium agreement, condominium declaration, and all agreements of purchase and sale or lease, acknowledging the railway and future expansion of its operations.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed application for draft plan of condominium, in accordance with the approved site plan, building permit, and the provisions of the Official Plan and Zoning By-law. The Development Planning Department is satisfied with the draft condominium plan, with the exception of the parking space lengths, of which 50 spaces do not meet the minimum by-law standard and are deficient in size (as constructed), and will require approval of a minor variance application by the Committee of Adjustment, prior to registration of the final condominium plan. The Development Planning Department has no objections to the required variances and to the approval of the draft plan of condominium, subject to the conditions provided for in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Condo Plan – Level 1 at Grade
4. Condo Plan – Levels 2 - 8
5. Condo Plan – Below Grade Storage and Parking

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF STANDARD CONDOMINIUM 19CDM-07V03 ALTERRA CUSTOM BUILDERS INC. PART OF LOT 1, CONCESSION 2, 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-07V03, ARE AS FOLLOWS:

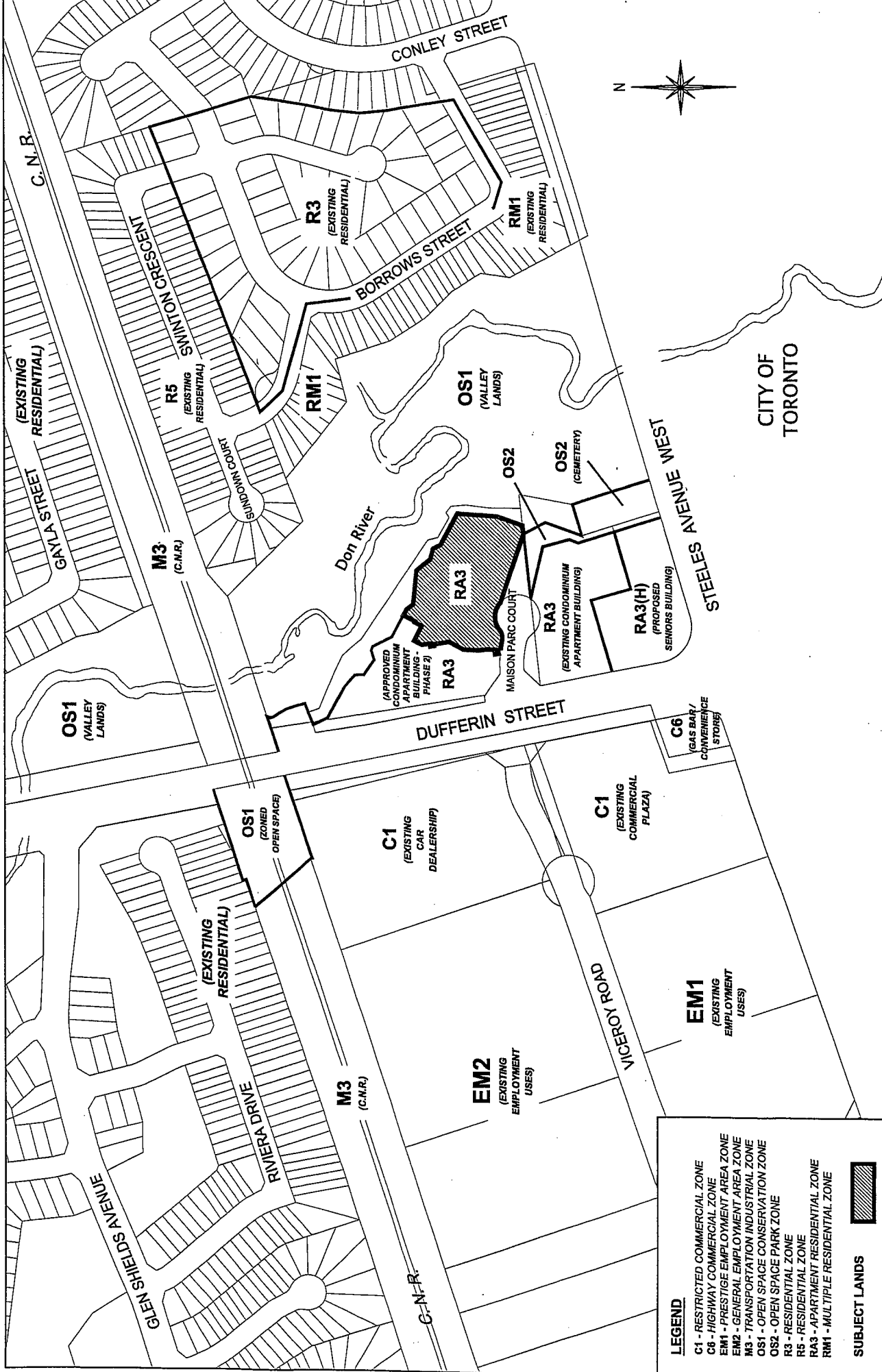
City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Schaffer & Dzaldov Limited, Drawing No. 01-273-13; Sheets 1, 2 and 3, dated April 20, 2007.
2. Prior to the execution of the condominium agreement, the Owner shall submit a pre-registered plan of condominium to the 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 and site development, and any other matters that the City may consider necessary, which may be outstanding from the registered site plan agreement.
4. The condominium agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
5. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
6. Prior to final approval, the Owner shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities, to the satisfaction of the Development Planning Department.
7. 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 Finance Department.
8. 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;
 - b) the Condominium Corporation shall supply, install and maintain the required mail equipment to the satisfaction of Canada Post; and,
 - c) the following warning clause shall be inserted in the Condominium Agreement, Condominium Declaration, and all Agreements of Purchase and Sale or Lease, for each dwelling unit:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operation, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CN will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
9. The required Minor Variance application to address the parking deficiency shall be approved by the Committee of Adjustment, and shall be in full force and effect, prior to the registration of the final condominium plan.

Clearances

10. The City (Development Planning Department) shall advise that Conditions 1 to 9 have been satisfied.



Location Map

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA CUSTOM BUILDERS INC.



Development Planning Department

Attachment

FILE No.:
19CDM-07V03

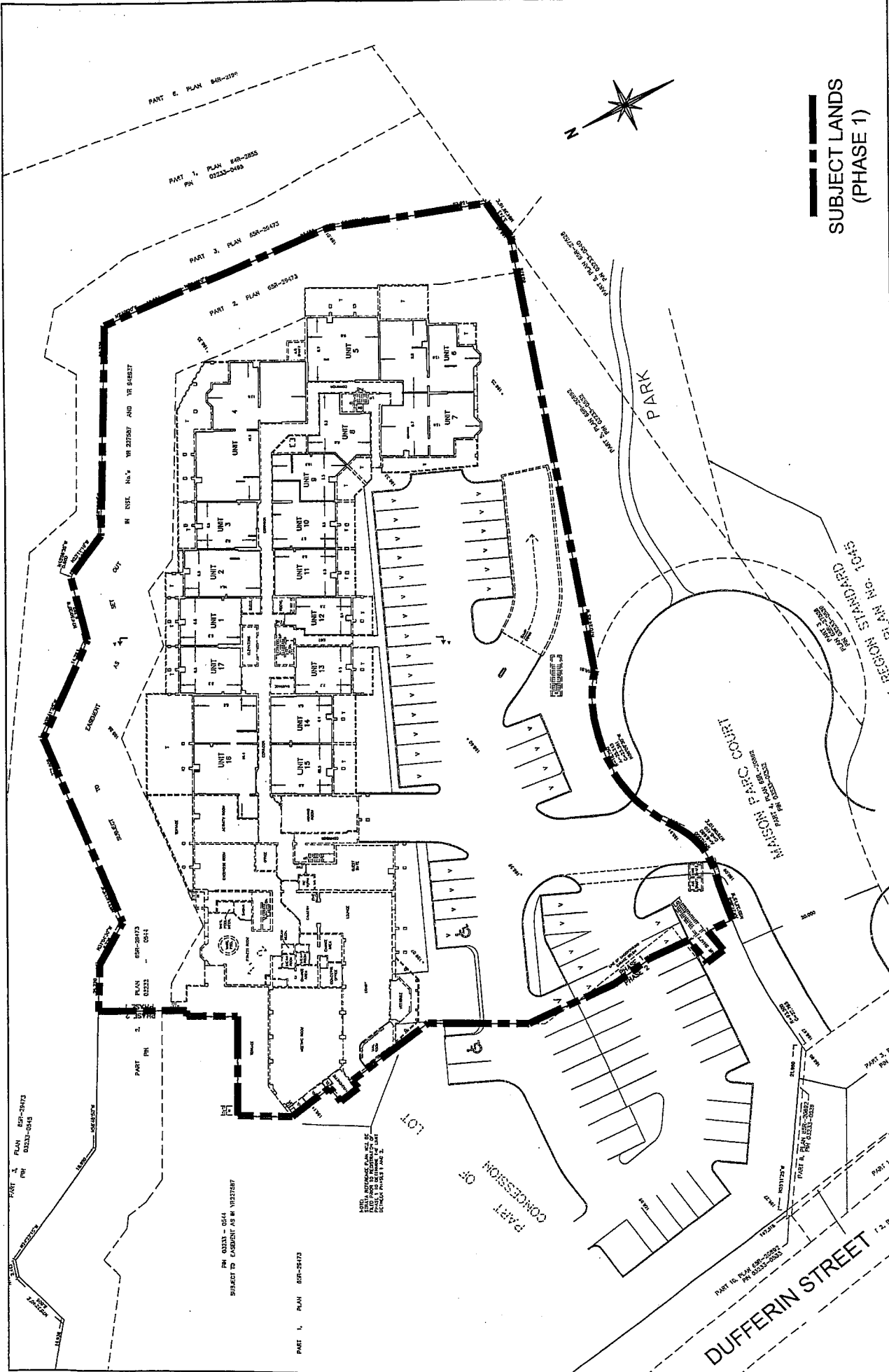
Not to Scale

June 8, 2007

2

- LEGEND**
- C1 - RESTRICTED COMMERCIAL ZONE
 - C6 - HIGHWAY COMMERCIAL ZONE
 - EM1 - PRESTIGE EMPLOYMENT AREA ZONE
 - EM2 - GENERAL EMPLOYMENT AREA ZONE
 - M3 - TRANSPORTATION INDUSTRIAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - R3 - RESIDENTIAL ZONE
 - R5 - RESIDENTIAL ZONE
 - RA3 - APARTMENT RESIDENTIAL ZONE
 - RM1 - MULTIPLE RESIDENTIAL ZONE
- SUBJECT LANDS**

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**SUBJECT LANDS
(PHASE 1)**

Attachment 3

FILE No.:
19CDM-07V03

Not to Scale

June 8, 2007



The City Above Toronto

Development Planning Department

Condo Plan - Level 1 At Grade

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA CUSTOM BUILDERS INC.

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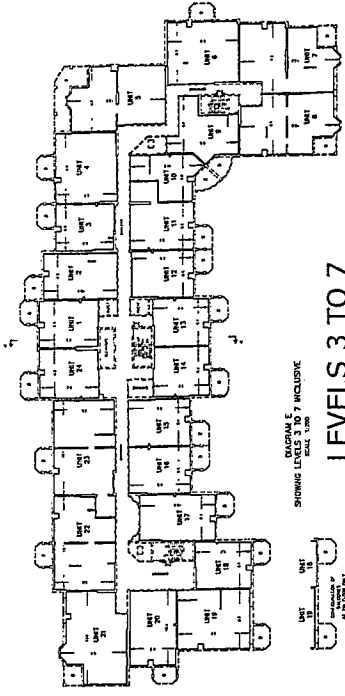


DIAGRAM E
SHOWN LEVELS 3 TO 7
SCALE 1:300

LEVELS 3 TO 7

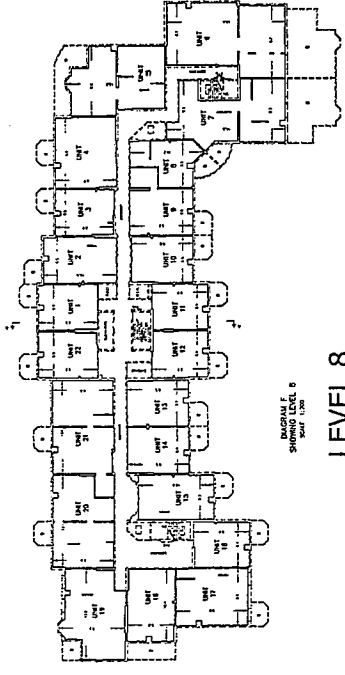


DIAGRAM F
SHOWN LEVEL 8
SCALE 1:300

LEVEL 8

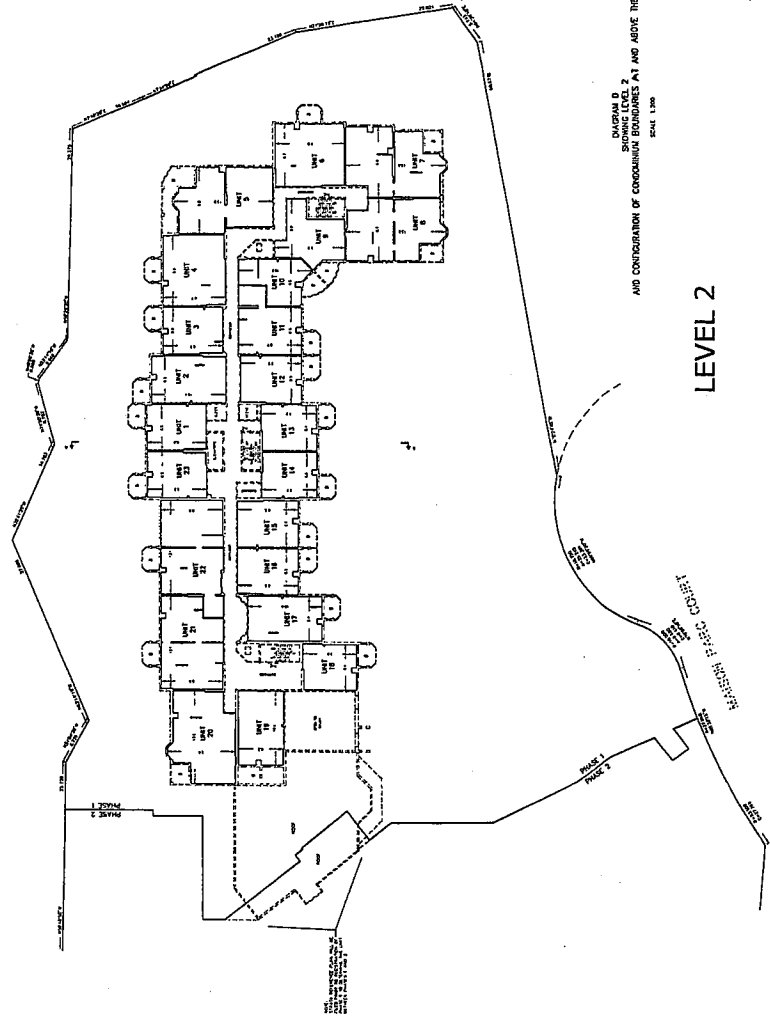


DIAGRAM D
SHOWN LEVEL 2
AND CONTOUR OF CONDOMINIUM BOUNDARIES AT AND ABOVE THE SECOND FLOOR
SCALE 1:300

LEVEL 2



Condo Plan - Levels 2 - 8

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA CUSTOM BUILDERS INC.

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Attachment 4

FILE No.:
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June 8, 2007

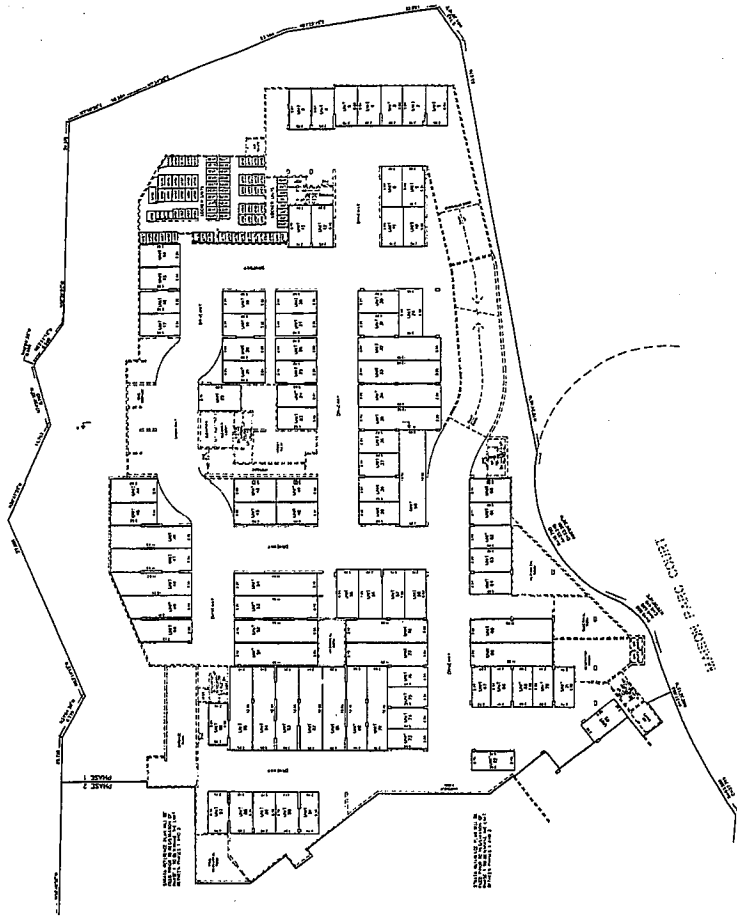


DIAGRAM B
 SHOWING CONTOUR OF CONDOMINIUM BOUNDARIES AT THE FIRST BASISPOINT
 EXH. 1-20

LEVEL A

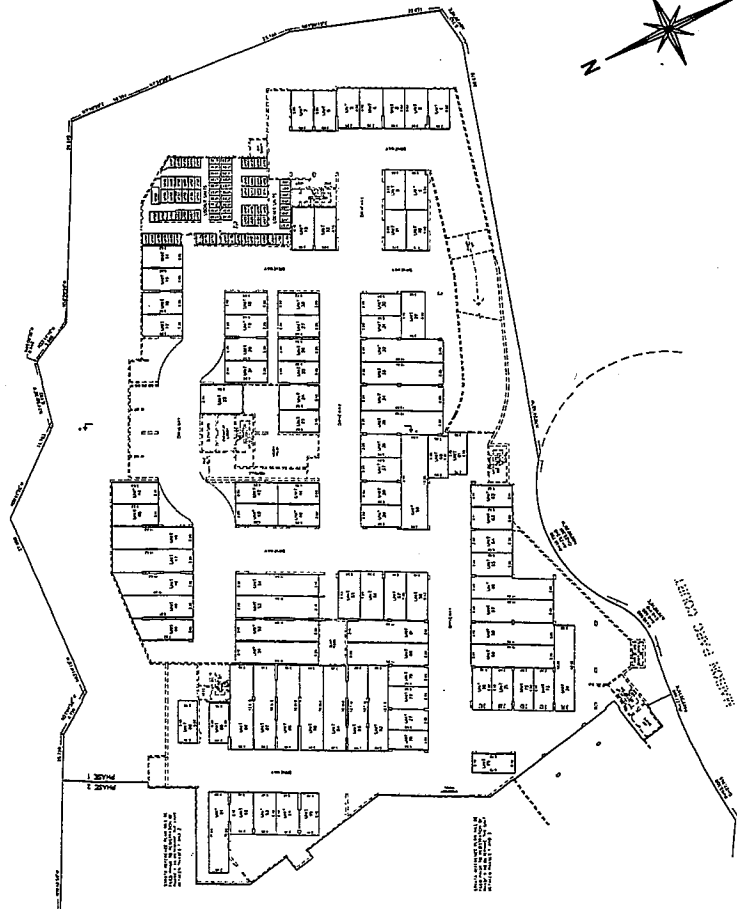


DIAGRAM A
 SHOWING CONTOUR OF THE CONDOMINIUM BOUNDARIES AT AND BELOW THE SECOND BASISPOINT
 EXH. 1-19

LEVEL B

**Condo Plan - Below
 Grade Storage & Parking**

APPLICANT:
 ALTERRA CUSTOM BUILDERS INC.

Part of Lot 1,
 Concession 2

NA\BPT\1 ATTACHMENTS\19\19cdm-07v03



Development Planning Department

Attachment 5
 FILE No.:
 19CDM-07V03
 Not to Scale
 June 8, 2007