

COMMITTEE OF THE WHOLE APRIL 18, 2005

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V03
ALTERRA-FINER SPACES LTD.**

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-05V03 (Alterra-Finer Spaces Ltd.), BE APPROVED, subject to the conditions of approval set out in Attachment #1.

Purpose

The Owner has submitted an application for approval of a Draft Plan of Condominium comprising an 8-storey, 149 unit, high-rise residential condominium building, as shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located northeast of Dufferin Street and Steeles Avenue West, being 1 Maison Parc Court, in Part of Lot 1, Concession 2, City of Vaughan. The surrounding land uses are:

- North - Maison Parc Court; future high rise residential (A Agricultural Zone)
- South - eating establishment; (C1 Restricted Commercial Zone); Steeles Avenue West
- East - future park (OS2 Open Space Park Zone); valley lands OS1 (Open Space Conservation Zone)
- West - Dufferin Street; commercial (C1 Restricted Commercial and C6 Highway Commercial Zones)

Official Plan/Zoning

The subject lands are designated "Mixed Commercial/Residential Area" by OPA No. 210 (Thornhill-Vaughan Community Plan) as amended by OPA No. 471, and zoned RA3 Apartment Residential Zone subject to site-specific Exception 9(545). The draft plan of condominium conforms to the Official Plan and complies with the requirements of the Zoning By-law.

Site Development

The 0.98 ha site has 60m frontage on Maison Parc Court and 61.5m flankage on Dufferin Street. The site is served by a full-movement access on Maison Parc Court. The L-shaped building is located centrally on the subject lands as shown on Attachment #3. The proposed draft plan of condominium is comprised of 149 residential units within an 8-storey high-rise building which is currently under construction. A total of 181 underground (on 2 levels) residential parking spaces (including 2 handicapped, but not including 18 tandem spaces), and 30 surface visitor parking spaces have been provided for. Landscaping is provided around the perimeter of the site.

Application Review

The draft plan of condominium is in accordance with the approved site plan (File DA.02.061), and Building Permit #03-1109. 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 subject lands have access to municipal services, including hydro, storm and sanitary sewers, and water.

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

Conclusion

Staff has reviewed the draft plan of condominium, which is consistent with the approved site plan, building permit, and in accordance with the provisions of the Official Plan and Zoning By-law as approved by the Ontario Municipal Board. Staff has no objections to the approval of the draft plan of condominium, subject to the conditions provided on Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Draft Plan of Standard Condominium 19CDM-05V03

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 CONDOMINIUM 19CDM-05V03
{ALTERRA-FINER SPACES LTD.}
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-05V03, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a draft plan of condominium, prepared by Schaffer & Dzaldov Limited, drawings Drawing No. 01-273-03; Sheet 1, dated February 8, 2005; and Sheets 2-4 inclusive, dated January 24, 2005.
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.
4. The following provision(s) 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 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:

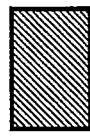
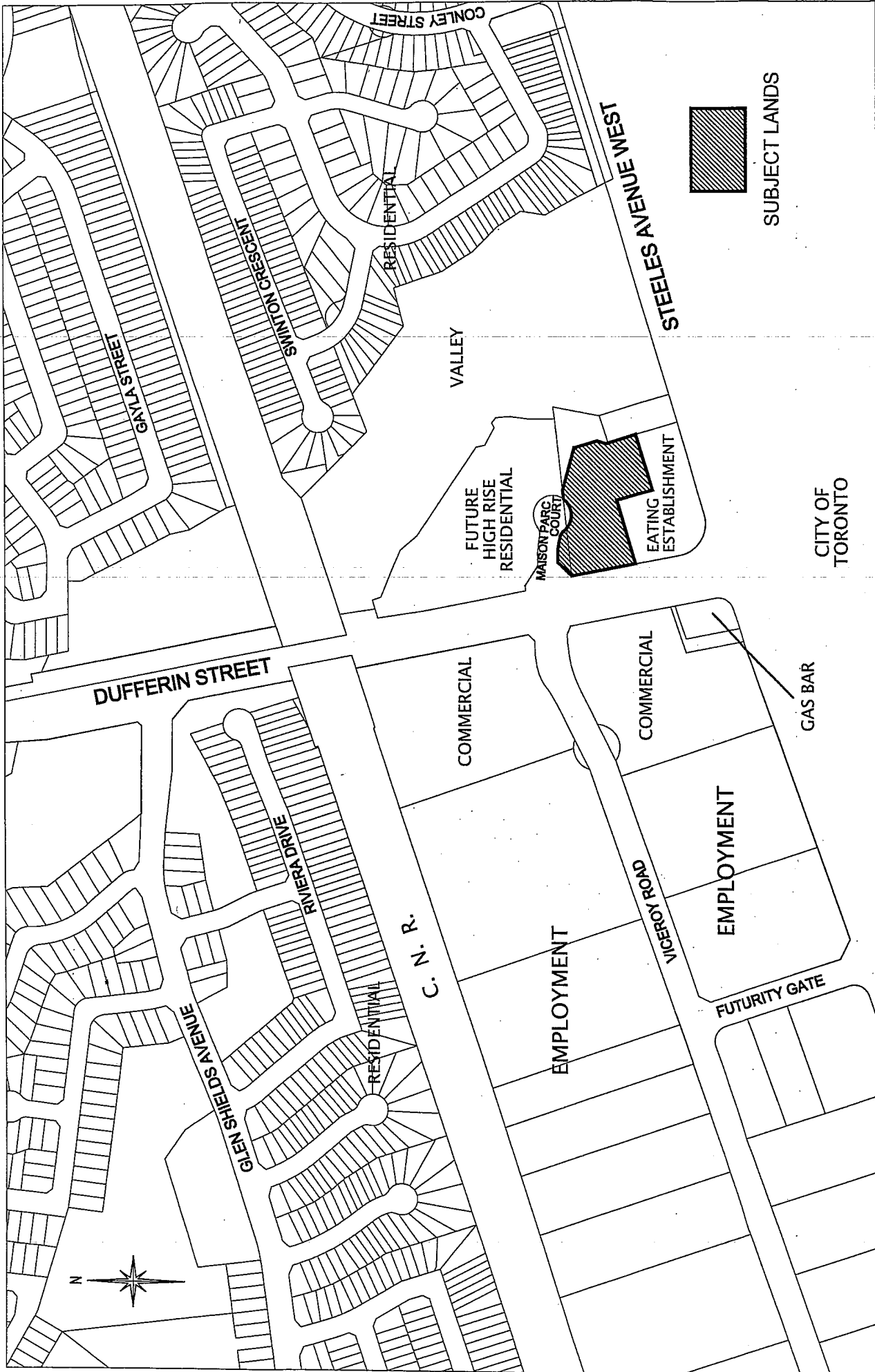
“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway 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.”
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 Building Standards Department.

7. 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.

c) 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.

Clearances

d) The City shall advise that Conditions 1 to 8 inclusive, have been satisfied, stating briefly how each condition has been met.



SUBJECT LANDS

CITY OF TORONTO

Location Map

Part of Lot 1,
Concession 2
APPLICANT:
ALTERRA - FINER SPACE LTD.

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CITY OF Vaughan

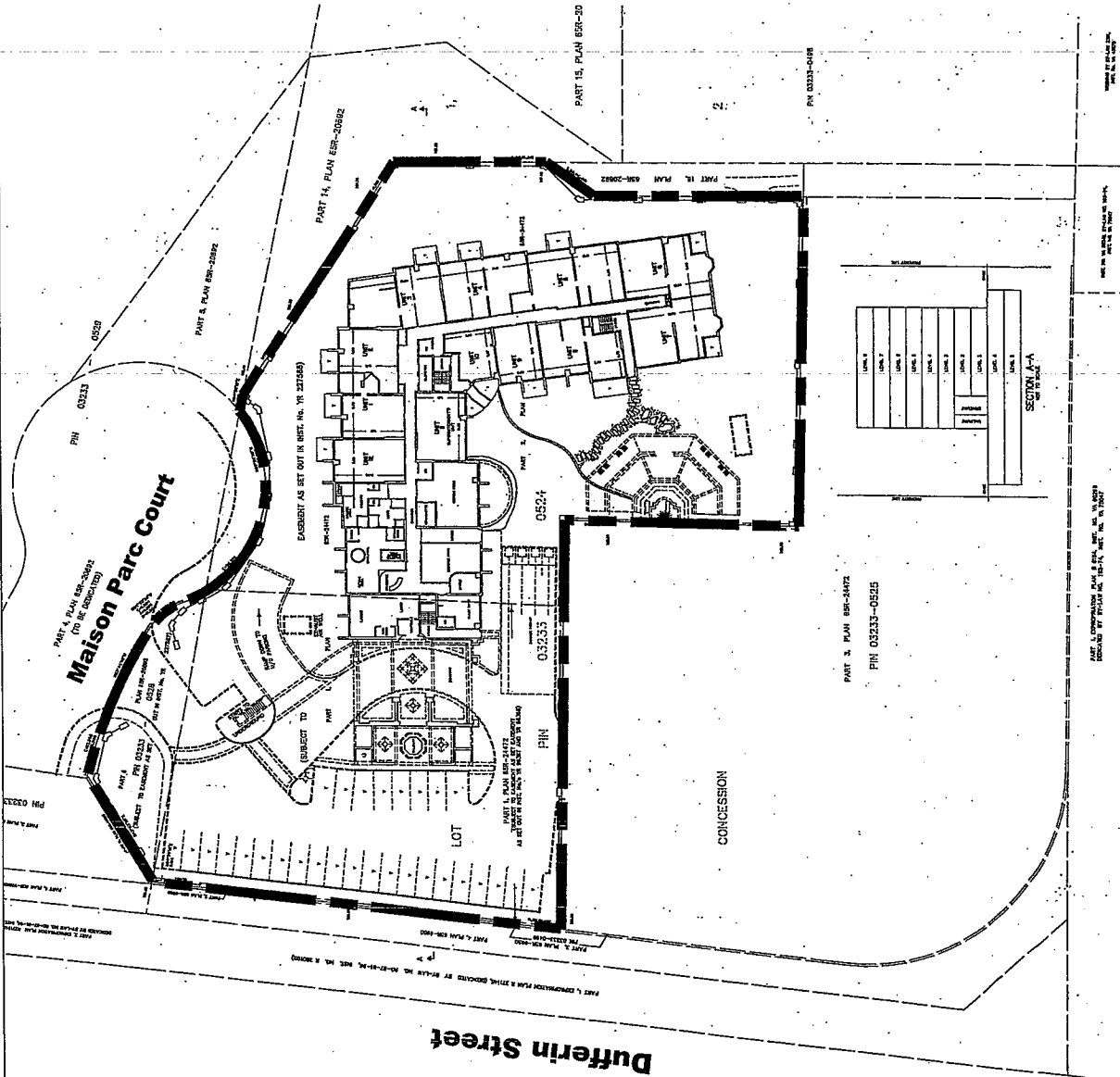
Development Planning Department

Attachment 2

FILE No.:
19CDM-05V03
Not to Scale
April 5, 2005



SUBJECT LANDS



Steeles Avenue West

Dufferin Street

Attachment 3
FILE No.: 19CDM-05V03
Not to Scale
April 5, 2005



Plan of Condominium

Part of Lot 1,
Concession 2
APPLICANT:
ALTERRA - FINER SPACE LTD.

Development Planning Department