

COMMITTEE OF THE WHOLE MAY 12, 2009

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-08V11
ALTERRA CUSTOM BUILDERS INC.
WARD 4**

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium File 19CDM-08V11 (Alterra Custom Builders Inc.) BE APPROVED, subject to the conditions of approval set out in Attachment #1.

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 2 of an overall two phase development. Phase 2 is comprised of an 8-storey, 180 unit, residential condominium building with a total of 230 parking spaces (198 residential and 32 visitor parking spaces) as shown on Attachment #4.

Background - Analysis and Options

Phase 1 of the development is comprised of an 8-storey, 182 unit, residential condominium building with 272 parking spaces and was the subject of Condominium File 19CDM-07V03, which was approved by Council on September 11, 2007.

Location

The subject lands shown on Attachment #2 are located at the northeast corner of Maison Parc Court and Dufferin Street, known municipally as 8 Maison Parc Court, in Part of Lot 1, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #2.

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 further amended by 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.

Site Development

The 14,806m² site consisting of two phases of development has frontage on Maison Parc Court and flankage along Dufferin Street. The site is serviced by a full-movement access on Maison Parc Court. The irregular-shaped building for the subject Phase 2 is located in the westerly portion of the property (Attachment #4) and will be connected to Phase 1 of the development (located directly to the southeast) through a single storey common entrance foyer.

The draft plan of condominium for Phase 2 is comprised of 180 residential units within an 8-storey building, which has completed construction. A total of 198 residential and 32 visitor parking spaces have been provided for Phase 2. Landscaping has been provided for around the perimeter of the site. Snow removal, garbage and recycling pick-up will be privately administered and the responsibility of the Condominium Corporation.

Application Review

The Draft Plan of Condominium is in accordance with the approved Site Plan (File DA.03.076), as shown on Attachment #3. 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.

A 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 operation.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject lands abut Dufferin Street, which is a Regional Road. All Regional conditions relating to the approved Site Plan (File DA.03.076) must be fulfilled to the satisfaction of the Region of York, prior to the registration of the final condominium plan.

Conclusion

The Development Planning Department has reviewed the proposed application for the 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 has no objections to the approval of the draft plan of condominium, subject to the conditions in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Approved Site Plan
4. Draft Plan of Condominium – Level 1 at Grade (Phase 2)

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
/CM

GRANT UYEVAMA
Director of Development Planning

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF STANDARD CONDOMINIUM 19CDM-08V11
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-08V11, 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. 01-273-23; Sheets 1, 2, 3, 4 and 5, dated December 17, 2008.
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 (File DA.03.076).
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.”

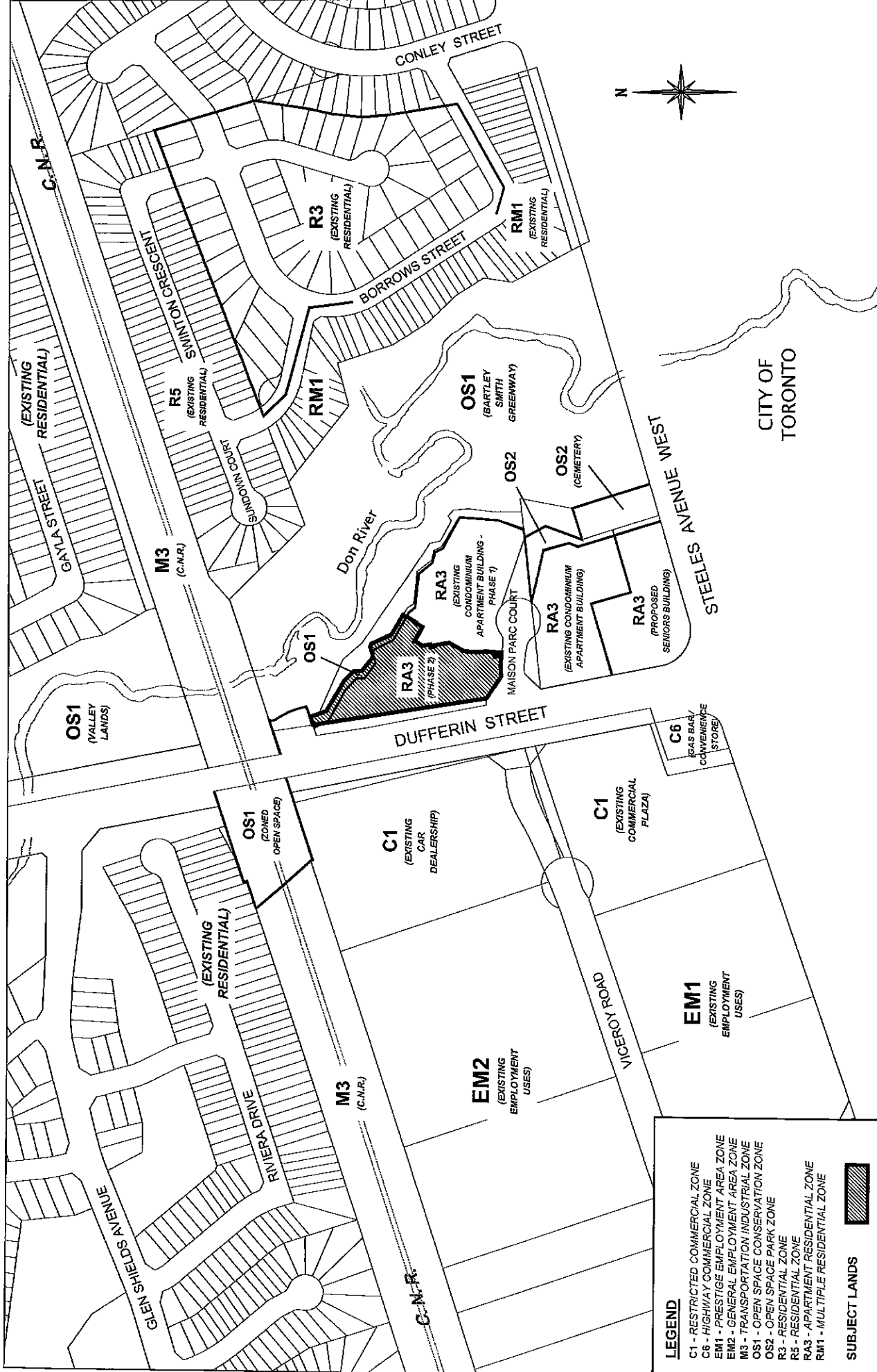
- d) private garbage and recycling pick-up shall be the responsibility of the Condominium Corporation; and,
- e) snow clearing and removal shall be the responsibility of the Condominium Corporation.

Region of York Conditions

- 9. Prior to final approval, the Owner shall certify that the conditions of approval provided in Regional File No. SP-V-085-04 (Vaughan File #DA.03.076) have been met to the satisfaction of the Transportation Services Department including a site inspection with Regional staff to review the as-constructed conditions.
- 10. The Owner shall provide a receipt for payment of Regional Development Charges from the City of Vaughan or enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0007-2007-040.

Clearances

- 11. The City (Development Planning Department) shall advise that Conditions 1 to 8 have been satisfied.
- 12. The Region of York Planning and Development Services Department shall advise in writing to the Vaughan Development Planning Department that Conditions 9 and 10 inclusive, have been satisfied.



Location Map

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA CUSTOM BUILDERS INC.



The City Above Toronto

Development Planning Department

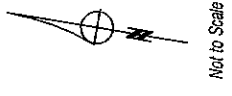
Attachment

2

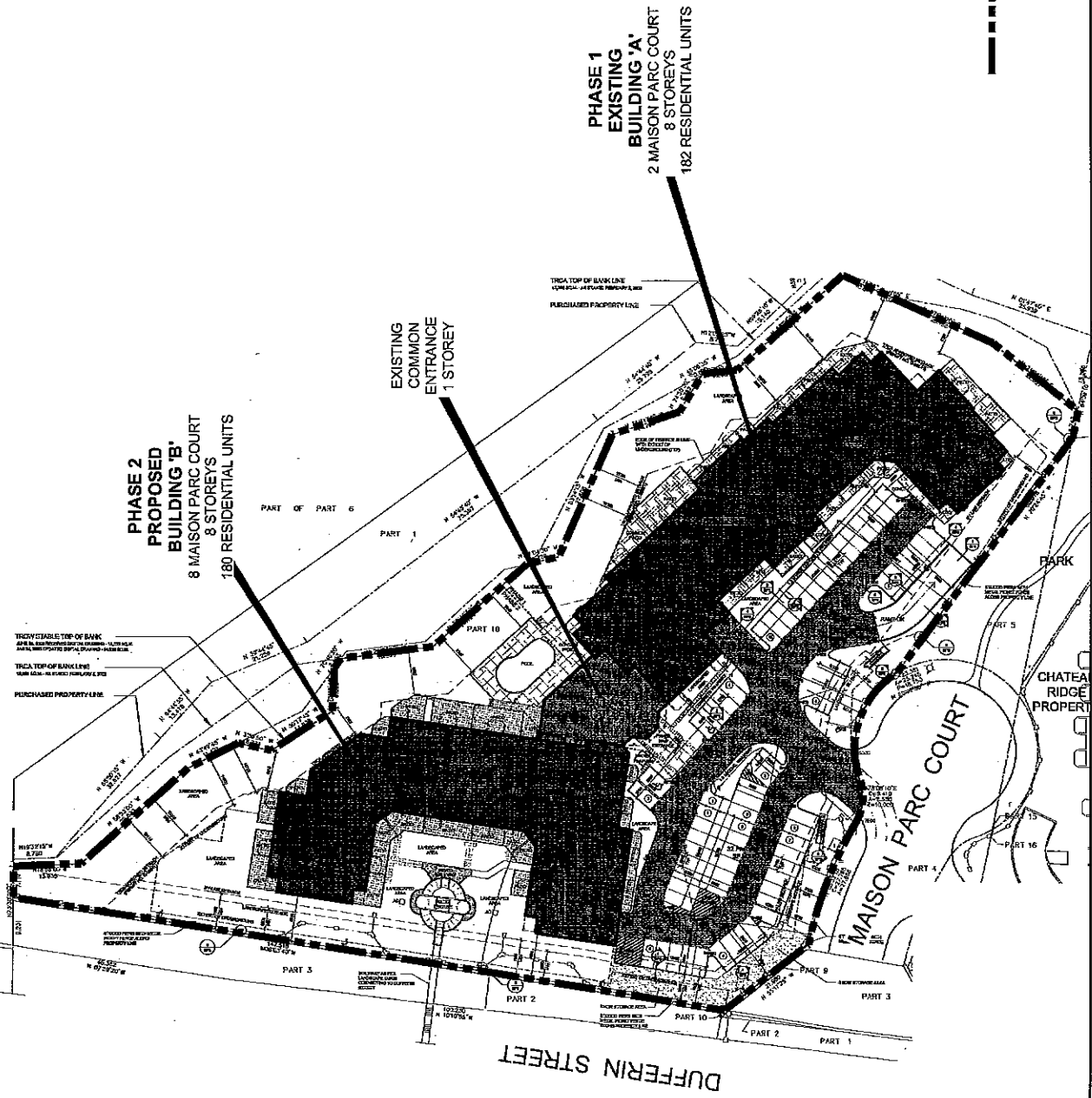
FILE NO.:
19CDM-08V11

Not to Scale

April 21, 2009



----- Subject Lands



FILE No.: 19CDM-08V11
 Not to Scale
 April 21, 2009



Development Planning Department

Approved Site Plan

Part of Lot 1,
 Concession 2
 APPLICANT:
 ALTERRA CUSTOM BUILDERS INC.

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SUBJECT LANDS

PHASE 1
(Approved under
File 19CDM - 07V03)

PROPOSED
PHASE 2

DUFFERIN STREET

MAISON PARC COURT

Attachment
FILE No.:
19CDM-08V11
Not to Scale
April 21, 2009



**Draft Plan of Condominium -
Level 1 At Grade**

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA CUSTOM BUILDERS INC.

Development Planning Department