

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2024

Item 7, Report No. 22 of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2024.

7. CF VAUGHAN PORTFOLIO INC. – DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-23V009: 75 FERNSTAFF COURT, VICINITY OF DUFFERIN STREET AND LANGSTAFF ROAD

The Committee of the Whole recommends approval of the recommendation contained in the report of the Deputy City Manager, Planning and Growth Management, dated June 4, 2024:

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-23V009 (CF Vaughan Portfolio Inc.) BE APPROVED, to establish condominium tenure for the existing multi-unit employment building as shown on Attachment 2, subject to the Conditions of Draft Approval in Attachment 4; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-23V009 subject to the conditions set out in Attachment 4 be for a period of three years (no less than three years) from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Committee of the Whole (1) Report

DATE: Tuesday, June 4, 2024

WARD: 4

TITLE: CF VAUGHAN PORTFOLIO INC. – DRAFT PLAN OF
CONDOMINIUM (STANDARD) FILE 19CDM-23V009: 75
FERNSTAFF COURT, VICINITY OF DUFFERIN STREET AND
LANGSTAFF ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Draft Plan of Condominium (Standard) File 19CDM-23V009 for the subject lands shown on Attachment 2. The owner is proposing to establish a standard condominium tenure for an existing multi-unit employment building consisting of 28 units and 92 parking spaces (Attachment 3), subject to the Conditions of Draft Plan of Condominium Approval in Attachment 4.

Report Highlights

- The Owner has submitted a Draft Plan of Condominium (Standard) Application to establish a standard condominium tenure for an existing multi-unit employment building, subject to the Conditions of Draft Plan of Condominium Approval.
- The Draft Plan of Condominium (Standard) consists of 28 employment units, 92 parking spaces, a driveway (Fire Route) and landscape strips.
- The Draft Plan of Condominium conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 001-2021.
- The Development Planning Department supports the proposed Draft Plan of Condominium File 19CDM-23V009, subject to conditions.

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-23V009 (CF Vaughan Portfolio Inc.) BE APPROVED, to establish condominium tenure for the existing multi-unit employment building as shown on Attachment 2, subject to the Conditions of Draft Approval in Attachment 4; and
2. THAT Council's approval of the Draft Plan of Condominium (Standard) File 19CDM-23V009 subject to the conditions set out in Attachment 4 be for a period of three years (no less than three years) from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: 75 Fernstaff Court (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The existing building containing 28 employment units, 5 exclusive use exterior loading areas, 3 shared interior mechanical areas, a fire route, landscape strips and 92 parking spaces will all remain. No changes to the building or site are proposed by this application. The areas marked L1-L5 on Attachment 2 represent the locations of the existing waste bins at the rear of units. A building permit was issued for the property in 1987. The existing site development is shown on Attachment 3.

A Draft Plan of Condominium (Standard) Application has been submitted to permit the proposed condominium

The Owner has submitted a Draft Plan of Condominium (the 'Application') for the Subject Lands to establish the standard condominium tenure for the existing multi-unit employment building as shown on Attachment 2.

Previous Reports/Authority

Not applicable

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP and VOP 2010

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. The Application will not change the built form or use of the existing building. Staff are satisfied that the Application is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The Application shown on Attachment 2, does not change the built form or use of the building and conforms to the Growth Plan.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within an existing employment business park established in the mid-1980's and falls within the employment area designation in the YROP 2022. The Application conforms to the YROP 2022.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Employment Areas" on Schedule 1 – "Urban Structure" of VOP 2010
- "Prestige Employment" on Schedule 13 – "Land Use" of VOP 2010

The Application shown on Attachment 2 maintains the existing building and the multi-unit employment use on the Subject Lands. On this basis, the Application conforms to VOP 2010.

The Subject Lands are not subject of Site Plan Control and the building was constructed in 1987 in accordance with the issuance of a Building Permit.

No Amendments to Zoning By-law 001-2021 are required for this Application

Zoning:

- Prestige Employment Zone EM1 by Zoning By-law 001-2021, subject to site-specific Exception (EM1-142)
- Note that the Subject Lands were developed in accordance with the City's zoning standards in 1987. The current AODA requirements are not applicable for Applications where no new development is occurring. The loading spaces, garbage storage, truck maneuvering, pavement markings and signage requirements of By-law 001-2021 are not applicable to this Application as no new development will occur as a result of the Condominium Plan.

The Development Planning Department supports the approval of the Application, subject to the comments and conditions outlined in this report

The Draft Plan of Condominium (Standard) shown on Attachment 2 is consistent with the existing development on the Subject Lands (Attachment 3). The Development Planning Department can support the approval of the Application shown on Attachment 2, subject to Conditions identified in Attachment 4.

Financial Impact

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

Operational Impact

Other City Departments and agencies have no objections to the Application subject to Conditions identified in Attachment 4

Financial Planning and Development Finance, Alectra, Bell, and Enbridge have no objections the Application subject to Conditions of Draft Plan of Condominium Approval in Attachment 4.

Other City Departments and agencies have no objection to the Application

Rogers Communications, York Region, Toronto and Region Conservation Authority, Vaughan Emergency Planning, Vaughan Real Estate Department, Vaughan Infrastructure Development, Policy Planning and Environmental Sustainability Department, Zoning Section and Building Standards have no objection to the Application.

Broader Regional Impacts/Considerations

York Region has no objection to the approval of the Application.

Conclusion

The Development Planning Department is satisfied the Application to create a standard condominium tenure for the existing multi-unit building on the Subject Lands, subject to Conditions of Draft Approval identified in Attachment 4, is consistent with the PPS, conforms with the Growth Plan, YROP and VOP 2010, and is appropriate for the Subject Lands. Accordingly, the Development Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Approval in Attachment 4.

For more information, please contact Laura Janotta, Planner, at extension 8634.

Attachments

1. Context and Location Map.
2. Draft Plan of Condominium (Standard) File 19CDM-23V009.
3. Existing Site Conditions.
4. Conditions of Draft Plan of Condominium Approval File 19CDM-23V009.

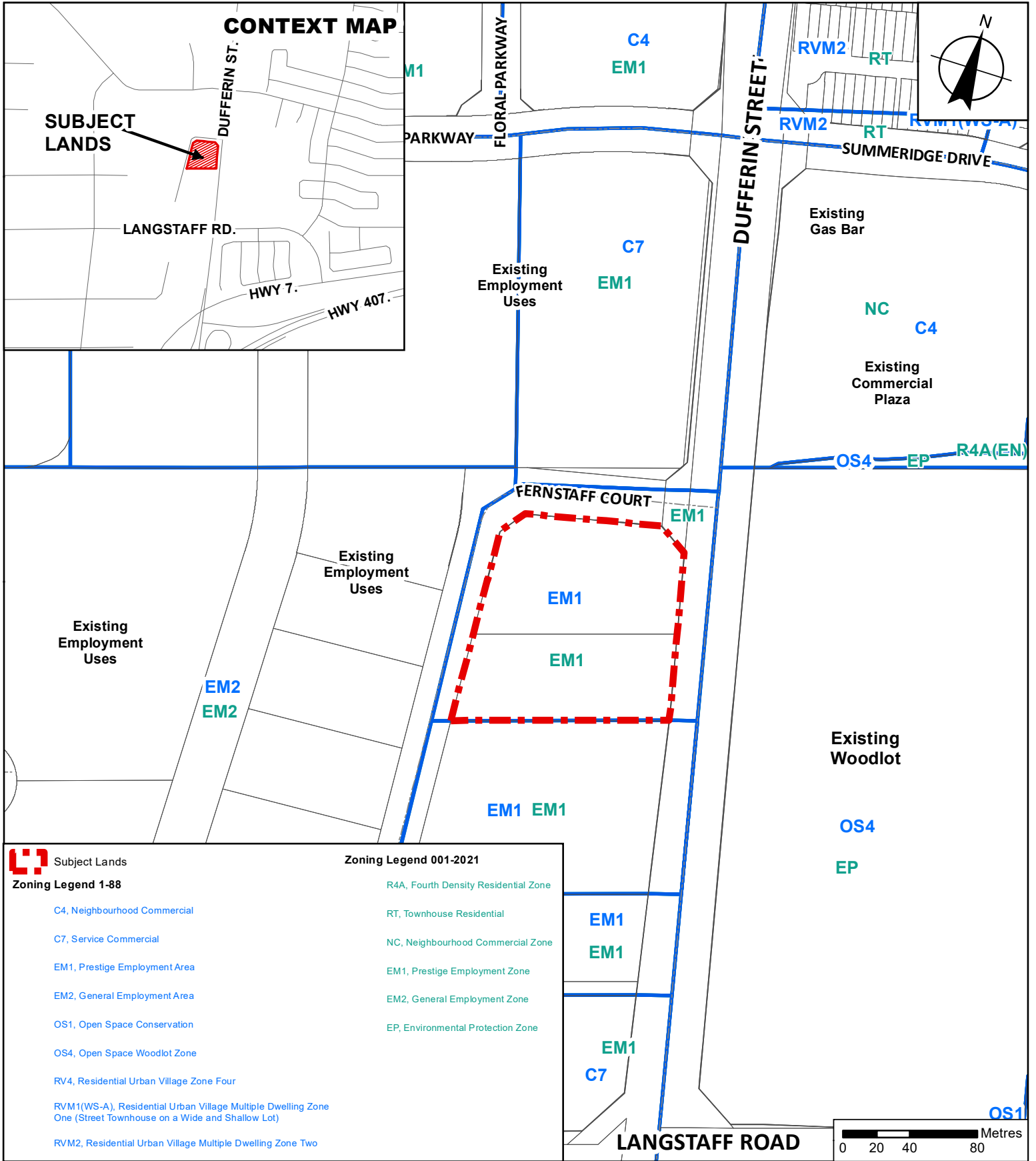
Prepared by

Laura Janotta, Planner, ext. 8634.

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Nancy Tuckett, Director of Development Planning, ext. 8529.



Context and Location Map

LOCATION: 75 Fernstaff Court
Lot 33, Plan 2043
Part of Lot 11, Concession 3

APPLICANT:
CF Vaughan Portfolio Inc.



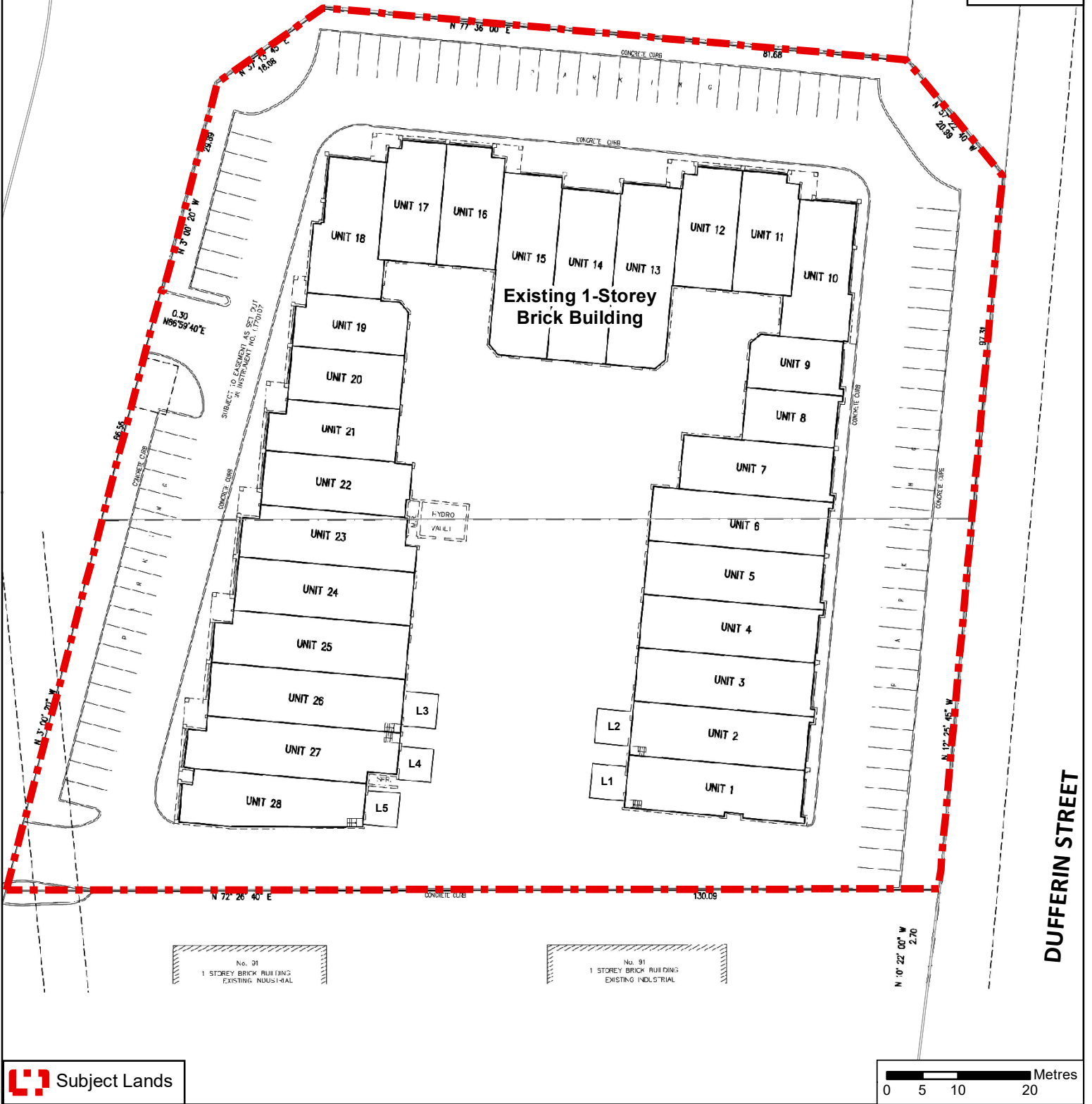
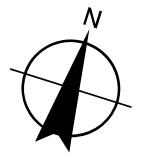
Attachment

FILE:
19CDM-23V009

DATE:
June 4, 2024

1

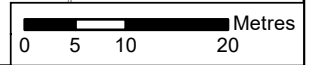
FERNSTAFF COURT



No. 31
1 STOREY BRICK BUILDING
EXISTING INDUSTRIAL

No. 91
1 STOREY BRICK BUILDING
EXISTING INDUSTRIAL

Subject Lands



Draft Plan of Condominium (Standard) File 19CDM-23V009

LOCATION: 75 Fernstaff Court
Lot 33, Plan 2043
Part of Lot 11, Concession 3

APPLICANT: CF Vaughan Portfolio Inc.

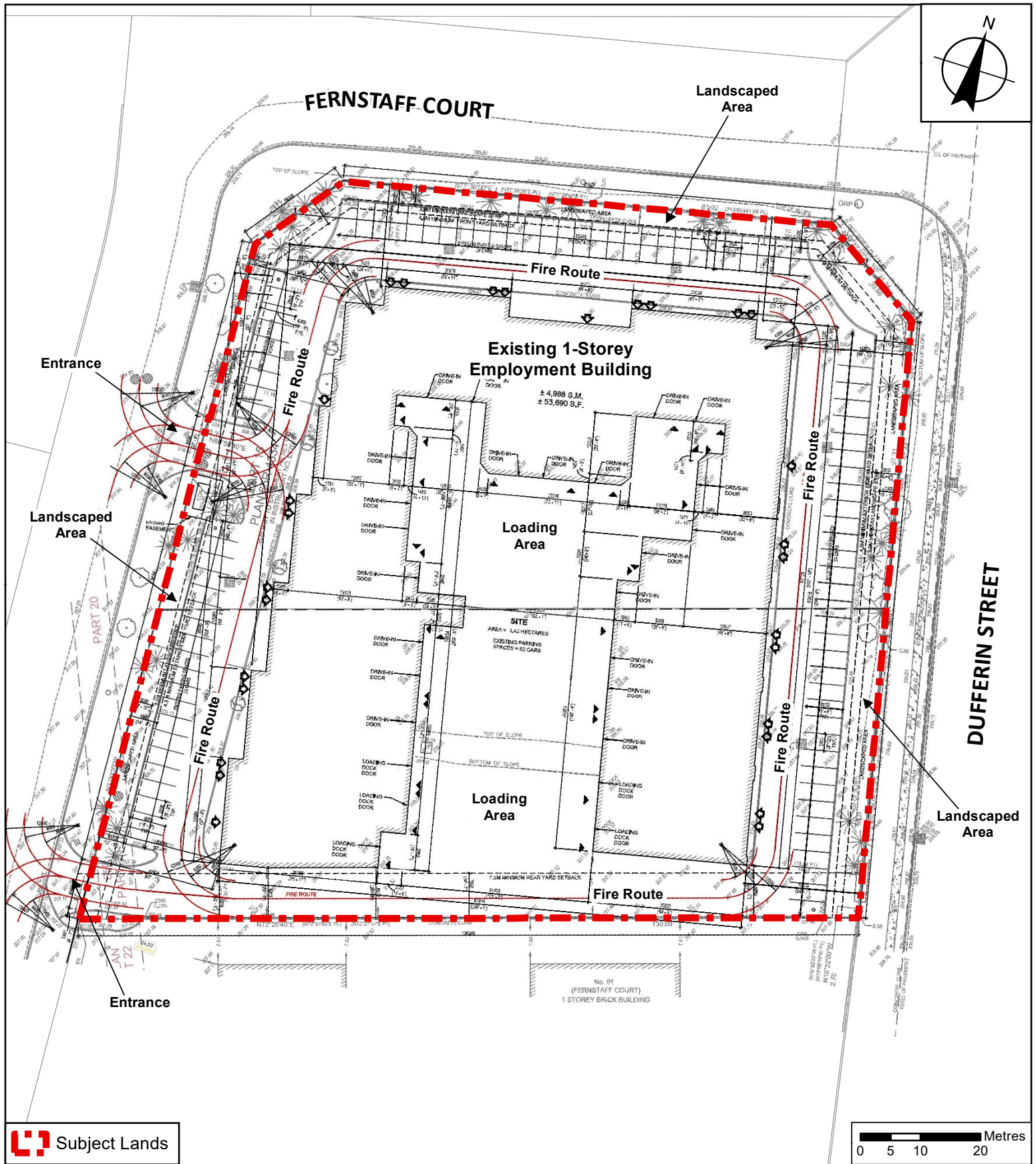
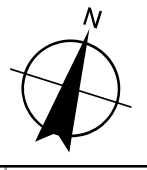


Attachment

FILE:
19CDM-23V009

DATE:
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2



Existing Site Conditions

LOCATION: 75 Fernstaff Court
 Lot 33, Plan 2043
 Part of Lot 11, Concession 3

APPLICANT:
 CF Vaughan Portfolio Inc.



Attachment

FILE:
 19CDM-23V009

DATE:
 June 4, 2024

3

ATTACHMENT 4

CONDITIONS OF DRAFT PLAN OF CONDOMINIUM APPROVAL

FILE 19CDM-23V009

**DRAFT PLAN OF CONDOMINIUM (STANDARD)
FILE 19CDM-23V009 ('PLAN')
CF VAUGHAN PORTFOLIO INC. ('OWNER')
CITY OF VAUGHAN ('CITY')**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-23V009, ARE AS FOLLOWS:

City of Vaughan

1. The Plan shall relate to a Draft Plan of Condominium, prepared by WAHBA Surveying, drawing File No. 23-057, dated November 29, 2023.
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 and shall agree to satisfy any outstanding conditions that the City may consider necessary.
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 of the Plan, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
6. Prior to final approval of the Plan, the Owner, their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
7. Prior to final approval of the Plan, the Owner shall confirm to the Development Planning Department that they have paid all taxes levied, all additional municipal levies, if applicable, development charges and all financial requirements of this development as may be required to the satisfaction of the Financial Planning and Development Finance Department. The Owner also certifies acknowledgement or responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Condominium Agreement, if

required, until each unit covered under the Condominium Agreement is separately assessed.

8. The following provisions shall be included in the Condominium Agreement to the satisfaction of the City:
 - a) The Owner and/or the Condominium Corporation shall be responsible to regularly clean and maintain all catch basins, area drains and sewers within the lands.
 - b) The Owner and/or Condominium Corporation shall be responsible for snow removal and clearing and the Condominium Corporation shall not store or deposit snow from the lands/development onto adjacent property of City of Vaughan owned property.
 - c) Private waste collection shall be the responsibility of the Condominium Corporation.
 - d) The Owner shall include the following warning clauses in the Condominium Declaration and in all Agreements of Purchase and Sale and/or Lease, advising:
 - e) "This development will function as a standard condominium and all details and associated costs shall be presented in the sales office, and through marketing material etc."

Utilities

9. Prior to final approval of the Plan, the Owner shall confirm that all required easements and rights-of-way for each utility have been granted to the appropriate authority. The Owner further agrees to convey any easement(s) as deemed necessary by utility corporations at no cost to the utility corporation. The Owner agrees that should any conflict arise with the existing utility facilities or easement(s) within the subject area, the Owner shall be responsible for the relocation of such facilities or easements at their own cost.
10. Prior to final approval of the Plan, the Owner must contact Enbridge Gas Inc.'s Customer Connection department and contact Alectra Utilities to discuss the details of the transformer on the Subject Lands.

Clearances

11. Development Planning Department shall advise that Conditions 1 to 8 have been satisfied.