

Committee of the Whole (2) Report

DATE: Tuesday, April 8, 2025

WARD(S): 4

**TITLE: RUTHERFORD LAND DEVELOPMENT CORP.
DRAFT PLAN OF CONDOMINIUM (STANDARD)
FILE 19CDM-24V007
10 ABEJA STREET, 474 AND 498 CALDARI ROAD, AND 9093,
9095, 9097 AND 9099 JANE STREET
VICINITY OF RUTHERFORD ROAD AND JANE STREET**

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for amendments to Council-approved Draft Plan of Condominium (Standard) File 19CDM-24V007, for the subject lands shown on Attachment 1, to establish a condominium tenure for additional underground parking spaces, as shown on Attachment 2, which had previously been identified with a freehold tenure.

Report Highlights

- Draft Plan of Condominium File 19CDM-24V007 was approved by Council on January 28, 2025, to establish a standard condominium tenure for the residential portions of the mixed-use apartment buildings on the subject lands.
- The Owner has requested changes to the previously approved Draft Plan of Condominium to convert 60 underground vehicular parking spaces from freehold to condominium tenure.
- The requested changes will be reflected in the registered Condominium Agreement and Condominium Plan.
- The Development and Parks Planning Department supports the proposed amendment, subject to the Recommendations in this report.

Recommendations

1. THAT Attachment 10 of Item 7, Report No. 1 of the Committee of the Whole, as approved by Council on January 28, 2025, identifying the Proposed Draft Plan of Condominium (Standard) - Underground Parking Levels, be replaced with the updated Attachment 2, attached hereto, to reflect an update to the tenure of 60 freehold vehicular parking spaces to condominium tenure, in Level A (P1) of the underground parking level;
2. THAT Recommendation 1(2) of the Committee of the Whole with respect to Item 7, Report No. 1, as approved by Council on January 28, 2025, be deleted and replaced with the following:
 - “2. THAT any reference in the above-noted technical report to 762 vehicular parking spaces with a condominium tenure be replaced with 822 vehicular parking spaces with a condominium tenure (a difference of an additional 60 condominium tenure vehicular parking spaces).”; and
3. THAT Condition 1 from Attachment 12 of Item 7, Report No. 1 of the Committee of the Whole, as approved by Council on January 28, 2025, be deleted and replaced with the following:
 - “1. The Owner shall prepare the final Plan generally on the basis of the Draft Plan of Condominium, prepared by Krcmar Surveyors Ltd. Dwg No. 17-111DC01, dated March 18, 2025, subject to minor modifications as deemed appropriate by the Deputy City Manager, Planning, Growth Management and Housing Delivery.”

Background

Location: 10 Abeja Street, 474 and 498 Caldari Road, and 9093, 9095, 9097 and 9099 Jane Street (the ‘Subject Lands’) and legally described as Block 4 in Registered Plan 65M-4805. The Subject Lands were formerly known as 2901 Rutherford Road. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Draft Plan of Condominium (Standard) File 19CDM-24V007 was approved by Council on January 28, 2025.

Rutherford Land Development Corp. (the ‘Owner’) submitted Draft Plan of Subdivision File 19CDM-24V007 (the ‘Application’) for the Subject Lands to establish a standard condominium tenure for the Development, which Council approved on January 28, 2025.

An amendment to the approved Application was requested by the Owner.

Following the approval of the Application by Council, the Owner requested an amendment to the Draft Plan of Condominium to convert 60 vehicular parking spaces located in Level A (P1) of the underground parking structure from freehold tenure to condominium tenure, as follows:

- 171 Condominium Parking Spaces (previously 111)
- 31 Freehold Parking Spaces (previously 91)

The additional 60 condominium parking spaces results in 822 of the 907 vehicular parking spaces located on the ground floor and within the 4-level underground parking garage being condominium tenure (the remaining parking spaces are proposed to be freehold tenure).

Previous Reports/Authority

The previous report prepared for the Application can be found at the following link: [January 21, 2025, Committee of the Whole \(1\) \(Item 7, Report No. 1\)](#)

Analysis and Options

The amended Draft Plan of Condominium remains consistent with the approved Site Development Application.

Vaughan Council on November 22, 2022, approved Site Development File DA.19.010 for the Subject Lands for the following:

- 831 residential units
- 907 vehicular parking spaces on the ground floor and in the 4-level underground parking garage
- The POPS, including the at-grade and above-grade (2nd level) portions
- Private amenity areas (both indoor and outdoor)

The proposed amendments to the approved Draft Plan of Condominium (Standard) are consistent with previously approved related Site Development File DA.19.010, including the total number of vehicular parking spaces.

The Development and Parks Planning Department supports the amendment to the Application, subject to the Recommendations in this report.

The Development and Parks Planning Department has reviewed the requested amendment to the Application as shown on Attachment 2, and has no objection to its approval, subject to the Recommendations in this report.

Financial Impact

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

Operational Impact

There are no operational impacts associated with this report.

Broader Regional Impacts/Considerations

The Application was circulated to York Region for the purpose of receiving comments regarding matters of regional interest i.e., roads and servicing infrastructure. York Region has no objection to the approval of this Application, subject to the Owner satisfying all York Region requirements and the Conditions of Approval in Attachment 12 of Committee of the Whole Report dated January 21, 2025 (Item 7, Report No. 1).

Conclusion

The Development and Parks Planning Department is satisfied the amendment to the approved Application can be supported as it is appropriate for the development of the Subject Lands. Accordingly, the Development and Parks Planning Department can recommend approval of the Application, subject to the Recommendations in this report.

For more information, please contact Letizia D'Addario, Senior Planner, at extension 8213.

Attachments

1. Context and Location Map
2. Proposed Draft Plan of Condominium (Standard) – Underground Parking Levels

Prepared by

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