

Etobicoke York Community Council

Meeting No. 10
Meeting Date Tuesday, October 2, 2007
Start Time 9:30 AM
Location Council Chamber, Etobicoke Civic Centre

Contact Glenda Jagai, Committee Administrator
Phone 416-394-2516
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EY10.1	NO AMENDMENT		Transactional	Ward: 5
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515 Royal York Road - Common Elements Condominium Application and Part Lot Control Exemption Application - Final Report

City Council Decision

City Council on October 22 and 23, 2007, adopted the following motions:

1. In accordance with the delegated approval under By-law No. 229-2000, be advised that the Chief Planner or his designate intends to approve the draft plan of common elements condominium, as generally illustrated on Attachment 1, subject to:
 - a. the conditions as generally listed in Attachment 2, which unless otherwise noted must be fulfilled prior to the release of the plan of condominium for registration; and
 - b. such revisions to the proposed condominium plan or such additional or modified conditions as the Chief Planner or his designate may deem to be appropriate to address matters arising from the on-going technical review of this development.

2. City Council direct that a Part Lot Control Exemption By-law with respect to the subject lands be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire one year after it has been enacted.

3. City Council authorize the City Solicitor to introduce the necessary Bill, provided that:
 - a. all tax arrears and current taxes owing be paid in full; and

- b. the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands without the prior written consent of the Chief Planner or his designate.
4. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 restriction at such time as final Site Plan Approval and the Common Elements Condominium Plan has been registered.
5. City Council authorize and direct the appropriate City officials to register the Part Lot Control Exemption By-law on title.

Statutory - Planning Act, RSO 1990

(September 18, 2007) Report from Director, Community Planning, Etobicoke York District

Committee Recommendations

The Etobicoke York Community Council recommends that City Council:

1. that in accordance with the delegated approval under By-law No. 229-2000, be advised that the Chief Planner or his designate intends to approve the draft plan of common elements condominium, as generally illustrated on Attachment 1, subject to:
 - a. the conditions as generally listed in Attachment 2, which unless otherwise noted must be fulfilled prior to the release of the plan of condominium for registration; and
 - b. such revisions to the proposed condominium plan or such additional or modified conditions as the Chief Planner or his designate may deem to be appropriate to address matters arising from the on-going technical review of this development.
2. direct that a Part Lot Control Exemption By-law with respect to the subject lands be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire one year after it has been enacted;
3. authorize the City Solicitor to introduce the necessary Bill provided that:
 - a. all tax arrears and current taxes owing be paid in full; and
 - b. the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands without the prior written consent of the Chief Planner or his designate;
4. authorize the City Solicitor to take the necessary steps to release the Section 118

restriction at such time as final Site Plan Approval and the Common Elements Condominium Plan has been registered; and

5. authorize and direct the appropriate City Officials to register the Part Lot Control Exemption By-law on title.

Decision Advice and Other Information

The Etobicoke York Community Council held a statutory public meeting on October 2, 2007 and notice was given in accordance with the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Summary

The applications for Draft Plan of Common Elements Condominium and Part Lot Control Exemption were made on or after January 1, 2007 and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The applications propose a common elements condominium consisting of a common driveway, visitor parking spaces and walkway. The application is required to provide legal access to the individual units as proposed and to ensure shared ownership and maintenance of the driveway, visitor parking spaces and pedestrian walkway by the condominium corporation.

The requested exemption from Part Lot Control provisions of the *Planning Act* is required to create conveyable lots for 4 townhouses and 6 semi-detached dwellings.

This report reviews and recommends approval of the Draft Plan of Common Elements Condominium and approval of the application for Part Lot Control Exemption.

Background Information

September 18, 2007 report

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-7020.pdf>

Speakers

Murray Evans, Evans Planning

Submitted Tuesday, October 2, 2007

Councillor Frances Nunziata, Chair, Etobicoke York Community Council