

**40 Laing St – Common Elements Condominium
Application – Final Report**

Date:	April 29, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	10-114013 STE 32 CD

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

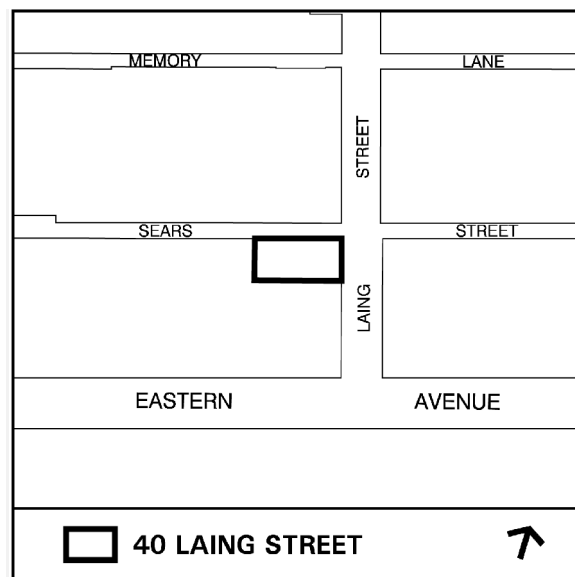
The application for common elements condominium proposes a private common element driveway on the lands municipally known as 40 Laing Street. The application is required to provide legal access to the individual townhouse units and to ensure the ongoing shared ownership and maintenance of all the common elements.

This report reviews and recommends approval of the Draft Plan of Common Elements Condominium.

RECOMMENDATIONS

The City Planning Division recommends that:

- In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner intends to approve the draft plan of common elements condominium, as generally illustrated on Attachment 1 to the report dated April 29, 2010, from the Director, Community Planning, Toronto and East York District, subject to:



- a. the conditions as generally listed in Attachment 3 to the report dated April 29, 2010, from the Director, Community Planning, Toronto and East York District, which, unless otherwise noted, must be fulfilled prior to the release of the plan of condominium for registration; and
- b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Rezoning application was approved by City Council on June 22, 2004. The development was also subject to a Site Plan Approval application and the Site Plan Agreement was registered on November 20, 2008. The individual lots were created by way of a consent application to the Committee of Adjustment.

ISSUE BACKGROUND

Proposal

The proposal is also to allow for the registration of a common elements condominium to accommodate the shared ownership and maintenance of the driveway. Refer to Attachment 3 for project data.

Site and Surrounding Area

The site is located at the southwest corner of Sears and Laing Streets.

To the north of the site is a low-density residential neighbourhood. To the south of the property are industrial properties fronting onto Eastern Avenue. A warehouse building occupies the site immediately to the south and it is built to the lot line adjacent to both the south and west side of the subject townhouse development.

A residential townhouse infill development has been built further to the west of the site with access from Sears Street.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Planning staff are satisfied that the proposal is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

This site is designated "Mixed Use" in the Official Plan, which permits townhouses in addition to a wide variety of both residential and commercial uses.

Zoning

Site Specific Zoning By-law 691-2007 permits the townhouse development.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate draft plan approval conditions.

COMMENTS

The proposed draft plan of common elements condominium for the site is appropriate as the proposal conforms with the PPS, the Official Plan, complies with the site specific zoning by-law, and is consistent with the approved site plan control application. Upon review by all pertinent City divisions and external agencies, no adverse impacts are anticipated to result from this request. As such the proposed draft plan of common elements condominium is considered appropriate for the orderly development of the property and is recommended for approval.

CONTACT

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SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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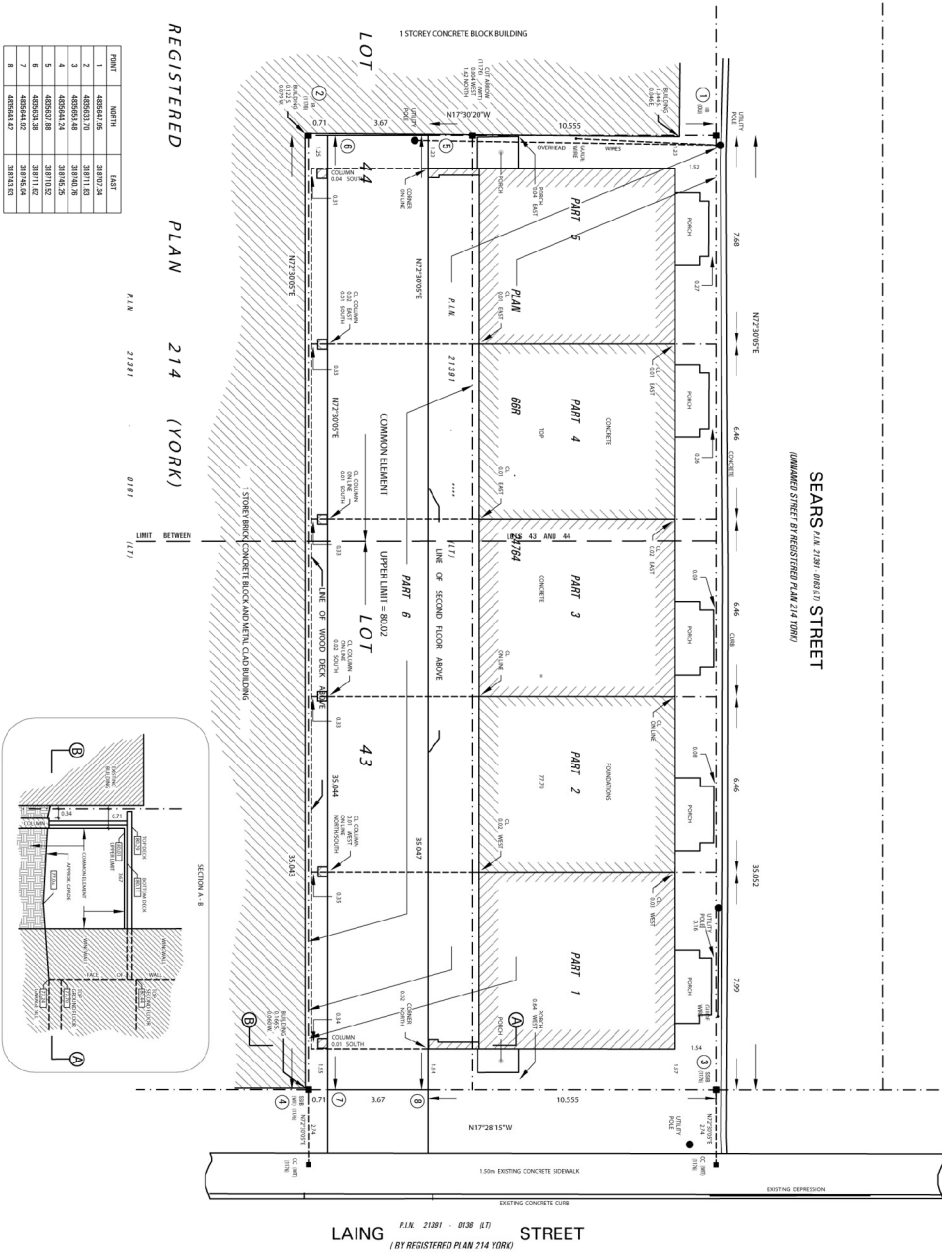
ATTACHMENTS

Attachment 1: Draft Plan of Common Elements Condominium

Attachment 2: Draft Plan Approval Conditions

Attachment 3: Application Data Sheet

Attachment 1: Draft Plan of Common Elements Condominium



POINT	NORTH	EAST
1	480547.06	281073.24
2	480543.70	281111.82
3	480543.24	281118.26
4	480541.88	281118.26
5	480541.88	281114.82
6	480540.52	281111.38
7	480540.52	281078.94
8	480540.52	281075.50

Draft Plan of Common Element Condominium

Applicant's Submitted Drawing

Not to Scale
04/23/2010

40 Laing Street

File # 10_114013

Attachment 2: Draft Plan Approval Conditions

- (1) The owner shall provide to the Director Community Planning, Toronto and East York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services, City of Toronto (statement of account or Tax Clearance Certificate).
- (2) All Site Plan matters and facilities have been completed or financially secured to the satisfaction of the City.
- (3) The Owner shall provide certification to the Executive Director, Technical Services from the Professional Engineer who designed and supervised the construction confirming that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
- (4) The Owner shall provide certification to the Executive Director, Technical Services from the Professional Engineer who designed and supervised the construction, confirming that the site servicing facilities have been constructed in accordance with the accepted drawings.
- (5) The owner shall file with the Director Community Planning, Toronto and East York District, a copy of the final Declaration and Description containing all necessary schedules and certifications required by the Condominium Act for registration.
- (6) The Condominium Declaration shall include a clause advising all future owners/tenants that the common element condominium is to provide for vehicular access to the garages and services, including the underground stormwater management tank, as well as for the maintenance of these services.
- (7) Together with the final version of the Declaration, the Owner shall provide a solicitor's undertaking indicating that:
 - (i) the Declaration provided to the City is the final Declaration to be submitted for registration, subject only to changes requested by the Land Registrar;
 - (ii) the City will be notified of any required changes prior to registration; and
 - (iii) forthwith following registration of the Declaration, a copy will be provided to the City.
- (8) If the condominium is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City for approval.

Attachment 3: Application Data Sheet

Application Type	Condominium Approval	Application Number:	10 114013 STE 32 CD
Details	Common Elements	Application Date:	February 4, 2010

Municipal Address: 40 LAING ST
 Location Description: PL 214 PT LT43 PT LT44 **GRID S3212
 Project Description: Draft Plan of Condo Approval for Common Element Condo for Private shared drive - space under projecting terraces and underground services - 5 TOWNHOUSE DEVELOPMENT See 07 219027 STE 32 SA for

Applicant:	Agent:	Architect:	Owner:
SASHA MILENOV			MIRKO RADOJCIC

PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas	Site Specific Provision: 691-2007
Zoning: I1 D2	Historical Status:
Height Limit (m): 14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	523.5	Height: Storeys:	3	
Frontage (m):	14.9	Metres:	13.5	
Depth (m):	35			
Total Ground Floor Area (sq. m):	231.1			Total
Total Residential GFA (sq. m):	928.1	Parking Spaces:	5	
Total Non-Residential GFA (sq. m):	0	Loading Docks:	0	
Total GFA (sq. m):	928.1			
Lot Coverage Ratio (%):	44.15			
Floor Space Index:	1.77			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	5
Total Units:	5

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	928.1	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

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