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.

This application proposes to create a common elements condominium to support a 142-unit residential development consisting of 30 freehold townhouses and 112 stacked townhouses. The lands are known municipally as 1151 Victoria Park Avenue, 2 - 60 Strangford Lane and 15 - 45 Strangford Lane. The common elements condominium would contain internal private driveways and walkways, surface parking, landscape amenity areas, and a garbage storage facility.

The common elements condominium is required to provide legal access to and from Victoria Park Avenue and to ensure shared ownership and maintenance of the internal private driveways and walkways, surface parking, landscaped areas and the garbage storage facility.

The 112 stacked townhouses, contained within 4 blocks within the development, will be a standard condominium created
through a separate condominium application (08 190244 ESC 35 CD). The stacked townhouses will have exclusive use of the underground parking garage accessed from a driveway from St. Clair Avenue East.

This report reviews and recommends approval of the draft plan of common elements condominium.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. 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, subject to:

   (a) the conditions as generally listed in Attachment 2, which except as 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**
On May 19, 2005, the Ontario Municipal Board (OMB) approved amendments to the Scarborough Official Plan and the Clairlea Zoning By-law to provide for the 142-unit residential proposal on the subject lands. The OMB also approved the associated site plan control application.

**ISSUE BACKGROUND**

**Proposal**
The proposal provides a mix of built forms consisting of 30, 3-storey freehold townhouses with integral garages and 112 stacked townhouses within 4 blocks above an underground parking garage. The development will contain a total of 142 residential units with a total of 236 parking spaces. Visitor parking spaces are all surface parking spaces.

A consent application will create the individual ownerships for the freehold townhouses and a standard condominium will create the individual ownerships for the stacked townhouse units. The common elements condominium will consist of the interior
driveways and walkways, surface parking spaces, landscaped areas and the garbage storage facility. The site specific details are contained in Attachment No. 3, Application Data Sheet.

Site and Surrounding Area
The irregular shaped 1.3 hectares is located near the northeast corner of Victoria Park Avenue and St. Clair Avenue East and is currently under construction, with the stacked townhouses near completion. The property has frontage and access onto Victoria Park Avenue and has frontage onto St. Clair Avenue East via a narrow 9.1 metre wide strip of land containing an access driveway for the underground garage on the subject property. This driveway also provides access to a small parking area on the adjacent Our Lady of Fatima church property.

A small commercial building, a McDonald’s restaurant with a drive-through and Our Lady of Fatima church are located immediately to the south of the subject property. To the east is a school with single family dwellings beyond. One and two storey single-family dwellings are located to the north of the subject property. Commercial uses, some containing second storey residential above, are located to the north and west of the property along Victoria Park Avenue. There are one storey commercial and, one and two storey single-family dwellings on the west side of Victoria Park Avenue.

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.

The proposal is consistent with the PPS as the proposal provides for intensification and redevelopment with a mix of residential built forms and utilizes existing infrastructure and public service facilities. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe as the proposal supports residential intensification.
Official Plan
The Toronto Official Plan designates the subject lands as Mixed Use Areas. Mixed Use Areas provide for a range of commercial, residential and institutional uses in single use or mixed use buildings.

Zoning
The Clairlea Zoning By-law zones the subject lands as Apartment Residential which permits the proposed residential development.

Site Plan Control
The associated site plan application for the residential development was approved by the Ontario Municipal Board on May 19, 2005.

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 issues regarding the proposed development were addressed through the approval of the Official Plan and rezoning applications and the site plan control application. The common elements condominium is considered appropriate for the orderly development of these lands. Appropriate conditions for draft plan approval will be imposed and are listed in Attachment 2.

CONTACT
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SIGNATURE

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Allen Appleby, Director
Community Planning, Scarborough District

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
Attachment 2: Draft Plan of Common Elements Approval Conditions

(1) The owner shall provide to the Director Community Planning, Scarborough 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 file with the Director Community Planning, Scarborough District, a copy of the final Declaration and Description containing all necessary schedules and certifications required by the Condominium Act for registration.

(4) Visitors parking spaces will be clearly delineated on the condominium plan to be registered.

(5) The owner shall submit, in a digitized format, the Draft Plan of Condominium integrated into the Ontario Co-ordinate System to the Executive Director of Technical Services, for review and approval.

(6) 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: 08 219136 ESC 35 CD

Details: Common Elements
Application Date: November 5, 2008

Municipal Address: 1151 VICTORIA PARK AVE
Location Description: CON C PT LOT 35 **GRID E3501
Project Description: To create a common elements condominium consisting of internal driveways, surface parking, common amenity areas and garbage storage facilities for a residential development comprised of 32 freehold townhouses and 112 stacked townhouses.

Applicant: INTELLITERRA PLANNING & DEVELOPMENT CONSULTING
Agent: GEORGIAN CLAIRLEA INC.
Architect: GEORGIAN CLAIRLEA INC.
Owner: GEORGIAN CLAIRLEA INC.

PLANNING CONTROLS
Official Plan Designation: Mixed Use Areas
Zoning: Apartment Residential
Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION
Site Area (sq. m): 13010.83
Frontage (m): 0
Depth (m): 0
Total Ground Floor Area (sq. m): 4729.67
Total Residential GFA (sq. m): 16154.72
Total Non-Residential GFA (sq. m): 0
Total GFA (sq. m): 16154.72
Lot Coverage Ratio (%): 36.35
Floor Space Index: 1.24

DWELLING UNITS
Tenure Type: Condo, Freehold
Above Grade Below Grade
Rooms: 0 Residential GFA (sq. m): 16154.72 0
Bachelor: 0 Retail GFA (sq. m): 0 0
1 Bedroom: 8 Office GFA (sq. m): 0 0
2 Bedroom: 100 Industrial GFA (sq. m): 0 0
3 + Bedroom: 34 Institutional/Other GFA (sq. m): 0 0
Total Units: 142

CONTACT: PLANNER NAME: Sylvia Mullaste, Planner
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