

**38 Tideswell Boulevard – Common Elements
Condominium Application – Final Report**

Date:	January 11, 2012
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	11 308557 ESC 44 CD

SUMMARY

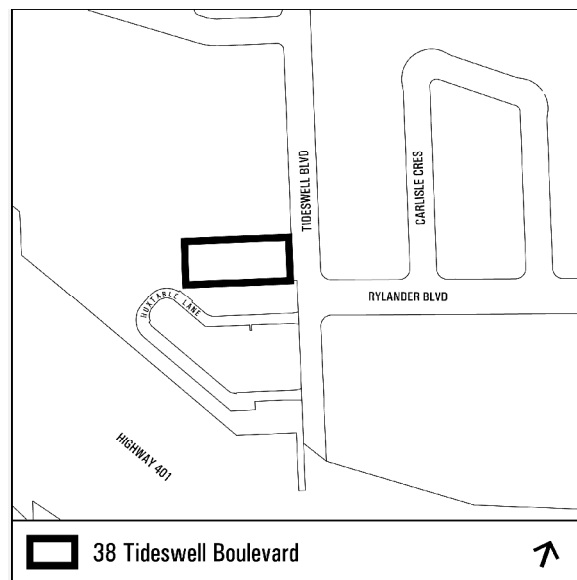
This application proposes to create a common elements condominium consisting of an internal private roadway, parking and landscaped areas for a development consisting of 13 townhouses located at 38 Tideswell Boulevard. The common elements condominium is required in order to secure shared ownership and maintenance of the internal private roadway, parking and landscape areas to support the residential townhouse development that is under construction.

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 for the lands at 38 Tideswell Boulevard, 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 January 10, 2011, the Ontario Municipal Board (OMB) approved a zoning by-law amendment (08 217398 ESC 44 OZ) to the Rouge Community Zoning By-law No. 15907 in order to provide for the subject development consisting of 13 townhouses. On March 16, 2011, the OMB approved the associated site plan control application (08 217392 ESC 44 SA).

ISSUE BACKGROUND

Proposal

The proposal supports a development comprised of 13, 3-storey freehold townhouses within 3 townhouse blocks. Access to the individual townhouses is provided by an internal private roadway from Tideswell Boulevard.

The common elements condominium will provide access to and from Tideswell Boulevard to the individual townhouses with integral garages by means of the internal private roadway. The common elements condominium will include three parallel visitor parking spaces and a turnaround area within the private roadway; a walkway; and, landscaped areas including a retaining wall on the south side of the townhouse block fronting Tideswell Boulevard. The project details are contained in Attachment No. 3, Application Data Sheet.

Consent applications (B58/11, B59/11, B60/11 and B61/11) to create the individual ownerships for the townhouses have also been submitted.

Site and Surrounding Area

The subject townhouse development is located on a 0.2 hectare (0.6 acre), rectangular-shaped parcel, having a 32.6 metre (107 foot) frontage on Tideswell Boulevard and a lot depth of approximately 78.3 metres (256.9 feet).

Surrounding Land Uses:

North: St. Dominic Savio Catholic Elementary School and single-family dwellings of 2-storeys further north

West: St. Dominic Savio Catholic Elementary School yard which backs onto Highway 401 right-of-way
East: Single-family dwellings of 2-storeys
South: Common elements condominium townhouse development of 2 and 3-storeys immediately to the south and a commercial plaza on the south side of Rylander Boulevard.

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. Section 1.1.3.3 of the PPS requires planning authorities to identify and promote opportunities for appropriate intensification and redevelopment. The townhouse development is consistent with this intensification policy, of which the proposed common elements condominium facilitates. Therefore, the proposal is 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. Section 2.2.3.6 of the Growth Plan requires municipalities to encourage intensification generally throughout the built-up areas, to facilitate and promote intensification and identify the appropriate type and scale of development in intensification areas. The proposed common elements condominium is an integral part of the townhouse development, representing intensification that conforms to and does not conflict with the Growth Plan.

Official Plan

The subject property is designated Neighbourhoods. Neighbourhoods are considered physically stable areas made up of residential uses in lower-scale building types such as detached and semi-detached dwellings, duplexes, triplexes, townhouses, and interspersed walk-up apartments of up to 4-storeys.

Zoning

The subject property is zoned "Multiple-Family Residential (MF) Zone" in the Rouge Community Zoning By-law No. 15907. Permitted uses include single and semi-detached dwellings, multiple-family dwellings, street townhouses, group homes and correctional group homes, and day nurseries.

Site Plan Control

The associated site plan control application for the residential development was approved by the Ontario Municipal Board.

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 rezoning application and the site plan control application. The common elements condominium is consistent with the approved site plan for the development and is considered appropriate for the orderly development of the lands. The common elements condominium is recommended for approval, subject to the conditions listed in Attachment 2.

CONTACT

Sylvia Mullaste, Planner
Tel. No. (416) 396-5244
Fax No. (416) 396-4265
E-mail: Mullaste@toronto.ca

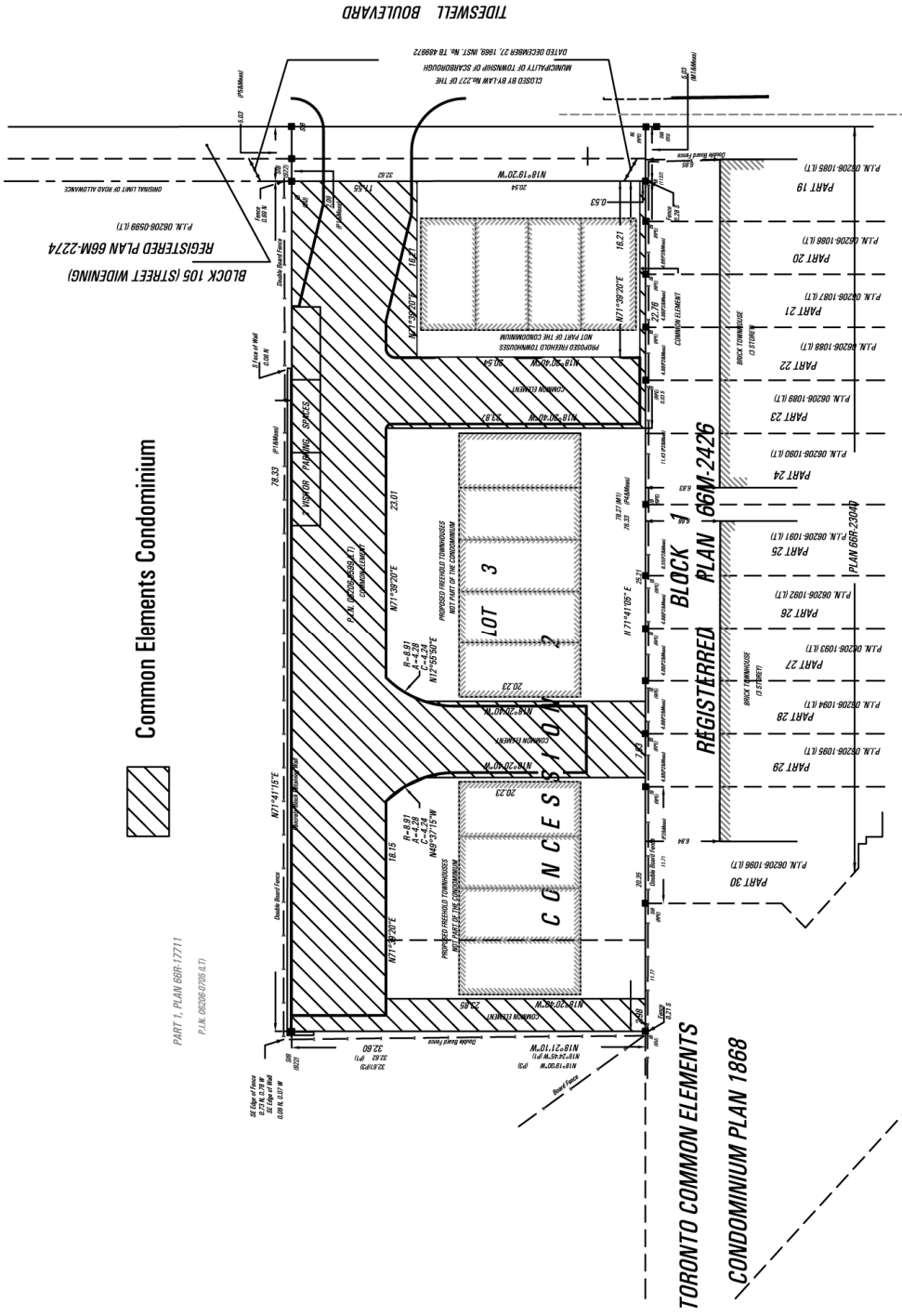
SIGNATURE

Raymond David, 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



38 Tideswell Boulevard

Draft Plan of Condominium

Applicant's Submitted Drawing

Not to Scale
11/23/11

File # 11-308557 CD

Attachment 2: Draft Plan 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) 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.
- (5) Visitors parking spaces will be clearly delineated on the condominium plan to be registered.
- (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.
- (7) Prior to release of the condominium for registration, the owner shall provide the following information to the satisfaction of the Executive Director, Technical Services:
 - a) certification and confirmation from the Professional Engineer who designed and supervised the construction of the development, that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans; and,
 - b) certification and confirmation from the Professional Engineer who designed and supervised the construction of the development, that the site servicing facilities have been constructed in accordance with the accepted drawings.

Attachment 3: Application Data Sheet

Application Type	Condominium Approval	Application Number:	11 308557 ESC 44 CD
Details	Common Elements	Application Date:	November 10, 2011

Municipal Address: 38 TIDESWELL BLVD
 Location Description: CON 2 PT LOT 3 **GRID E4402
 Project Description: Common elements condominium application to support a residential townhouse project with 13 units.

Applicant:	Agent:	Architect:	Owner:
KLM PLANNING PARTNERS INC			MANORGATE ESTATES INC.

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	MF	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2554.5	Height:	Storeys:	3
Frontage (m):	32.6		Metres:	0
Depth (m):	78.3			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	16
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	0			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	2121.5	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	13	Institutional/Other GFA (sq. m):	0	0
Total Units:	13			

CONTACT: **PLANNER NAME:** Sylvia Mullaste, Planner
TELEPHONE: (416) 396-5244