



STAFF REPORT ACTION REQUIRED

4, 6, 8, 10 and 12 Ashley Road- Draft Plan of Common Elements Condominium Application- Final Report

Date:	August 13, 2015
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	15 134487 WET 04 CD

SUMMARY

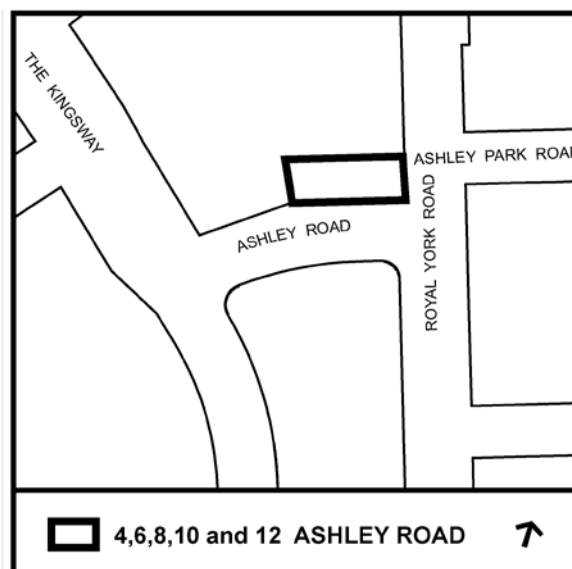
This application proposes to create a common elements condominium consisting of a private driveway to provide servicing and access to 4 freehold townhouse units, a below grade drive aisle and landscaped areas for the lands known municipally as 4, 6, 8, 10 and 12 Ashley Road.

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

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 and Executive Director, City Planning intends to approve the Draft Plan of Common Elements Condominium for the lands known municipally as 4, 6, 8, 10 and 12 Ashley Road, 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 and Executive Director, City Planning 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 October 20, 2011, the Committee of Adjustment granted a severance (Application No. B48/11EYK) that created four new lots with associated minor variance applications (Application No.'s A534/11EYK, A535/11EYK, A536/11EYK and A537/11EYK) permitting townhouse uses on the lands.

As part of the severance approval, three additional parts were also created for the following purposes:

- Part 5 was retained for a future common element condominium to be used for landscape and driveway entrance purposes to provide rear lot vehicular and pedestrian access to the four townhouse lots;
- Part 6 was retained for a future common element condominium to be used for a below grade drive aisle; and
- Part 7 was to be dedicated to the City for the purposes of a road widening.

The variances are final and binding.

ISSUE BACKGROUND

Proposal

The proposal is to permit the creation of a Common Elements Condominium. The Common Elements Condominium would consist of a private driveway to provide servicing and access to four freehold townhouse units, a below grade drive aisle to access the below grade parking spaces (which are not part of the Common Element Condominium) and landscaped areas on the lands known municipally as 4, 6, 8, 10 and 12 Ashley Road.

The proposal would have a density of 1.14 times the area of the lot and a building height of 14.27 metres. The four townhouse units would face Ashley Road.

Vehicular access would be provided via a private driveway from Ashley Road and parking would be provided below grade, directly below the townhouse units (2 parking spaces per townhouse unit).

Site and Surrounding Area

The site is located at the northwest corner of Royal York Road and Ashley Road, just north of Dundas Street West. The site is rectangular in shape. The Ashley Road frontage is approximately 46 metres and the Royal York Road frontage is approximately 18.3 metres.

The site was formerly known as 1176 Royal York Road and previously contained a triplex. The 4 unit townhouse development is under construction.

Surrounding land uses are as follows:

North: Duplexes and triplexes.

South: Parking lot of the Humbertown Shopping Centre.

East: One and two storey single detached dwellings, on the other side of Royal York Road.

West: Seventeen storey rental apartment building.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The proposal is consistent with Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the site *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The property is subject to By-law 1984-269 which zones the lands as Third Density Residential Zone (R3) under the former City of Etobicoke Zoning Code. Townhouses are not listed as a

permitted use in a R3 Zone. As noted previously, the Committee of Adjustment approved minor variance applications permitting townhouse uses on the lands.

Site Plan Control

The subject site is in a Site Plan Control Area. A site plan agreement for this development was registered on title on July 25, 2013.

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 of condominium approval conditions.

COMMENTS

Engineering and Construction Services staff have advised they require no conditions related to this application.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Draft Plan of Common Elements Condominium
Attachment 2: Draft Plan Approval Conditions
Attachment 3: Application Data Sheet

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V.01/11



Attachment 2: Draft Plan Approval Conditions

- (1) The owner shall provide to the Director of Community Planning, Etobicoke 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) The plans submitted for final approval and registration must be substantially in accordance with the approved draft plans specified above. Any revisions to these plans must be approved by the Chief Planner and Executive Director, City Planning or her designate, the Director of Community Planning, Etobicoke York District.
- (3) The owner shall file with the Director of Community Planning, Etobicoke York 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) 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:	15 134487 WET 04 CD
Details	Common Elements	Application Date:	March 31, 2015

Municipal Address:	4, 6, 8, 10 and 12 ASHLEY ROAD
Location Description:	PLAN 3692, PART LOT 20, REGISTERED PLAN 66R25999 PART 4
Project Description:	Draft Plan of Condominium (Common Elements) for a driveway, landscaped areas and a drive aisle related to 4 freehold townhouse units.

Applicant:	Agent:	Architect:	Owner:
SEVEN OAKS HOMES INC.			SEVEN OAKS HOMES INC.

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	n/a
Zoning:	R3	Historical Status:	n/a
Height Limit (m):	11 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	868.18	Height:	Storeys:	3
Frontage (m):	18.29		Metres:	14.27
Depth (m):	46.06			
Total Ground Floor Area (sq. m):	331			Total
Total Residential GFA (sq. m):	986		Parking Spaces:	8
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	986			
Lot Coverage Ratio (%):	37			
Floor Space Index:	1.14			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	986	0
Bachelor:		Retail GFA (sq. m):	0	0
1 Bedroom:		Office GFA (sq. m):	0	0
2 Bedroom:		Industrial GFA (sq. m):	0	0
3 + Bedroom:	4	Institutional/Other GFA (sq. m):	0	0
Total Units:	4			

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