

2179 Weston Road – Draft Plan of Common Elements Condominium Application – Final Report

Date:	August 17, 2015
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 – York South-Weston
Reference Number:	15 147821 WET 11 CD

SUMMARY

This application proposes to establish a private road named Justice Gardens as a common element at 2179 Weston Road. The common elements condominium is required to provide legal pedestrian and vehicular access to three townhouse units and eight detached dwellings. It would also ensure shared ownership and maintenance of the road by the condominium corporation.

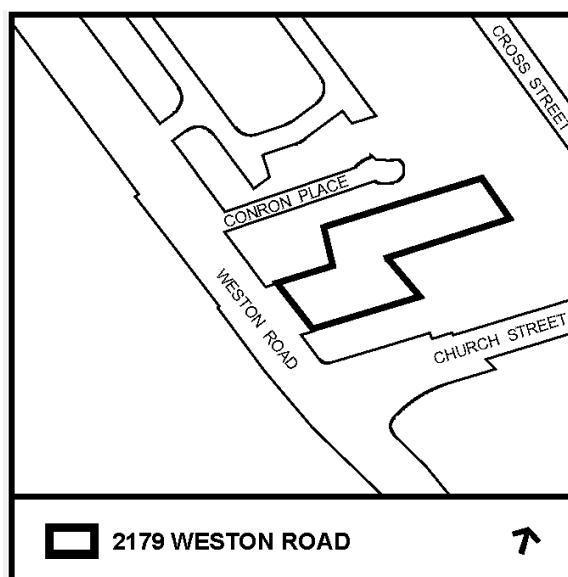
This report reviews and recommends approval of the Draft Plan of Common Elements Condominium.

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 and Executive Director, City Planning intends to approve the Draft Plan of Common Elements Condominium for the lands, 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 Division 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 June 14, 2012, the Etobicoke York Committee of Adjustment approved applications for Consent and Minor Variance (B33/12EYK, A189/12EYK, A190/12EYK, A191/12EYK, A192/12EYK, A193/12EYK, A194/12EYK, A195/12EYK, A196/12EYK, A197/12EYK and A198/12EYK) to sever the subject property into twelve residential lots to facilitate the development of a four-storey townhouse block, nine detached dwellings and a private road.

On September 4, 2014, the Etobicoke York Committee of Adjustment approved applications for Consent and Minor Variance (B27/14EYK, A224/14EYK, A225/14EYK and A226/14EYK) to sever the lot that was previously approved for a four-storey townhouse block into three residential lots to facilitate the development of three townhouse units.

ISSUE BACKGROUND

Proposal

This application proposes to establish a private road named Justice Gardens as a common element at 2179 Weston Road. The common elements condominium is required to provide legal pedestrian and vehicular access to three townhouse units and eight detached dwellings. It would also ensure shared ownership and maintenance of the road by the condominium corporation. Access to the ninth detached dwelling associated with this proposed common elements condominium would be from Conron Place, north of the subject site.

Site and Surrounding Area

The site is located at the northeast corner of Weston Road and Church Street and is irregular in shape. The site area is 0.25 ha. The site is currently occupied by a used car dealership. The development has not yet been constructed.

Surrounding land uses are as follows:

North: Retail stores and townhouses fronting Weston Road.

South: Retail stores fronting Weston Road.
East: One and two storey detached and semi-detached dwellings.
West: Mid-rise apartment buildings fronting Weston Road.

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.

Official Plan

The Official Plan designates the site as *Neighbourhoods* and *Apartment 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. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in *Neighbourhoods* are also permitted in *Apartment Neighbourhoods*.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The property is zoned MCR and R1 under the former City of York Zoning By-law No. 1-83 which permits the townhouse units and single detached dwellings associated with the proposed common elements condominium. Visitor parking is not required. The MCR zone permits a maximum height of 9 metres for buildings fronting on Weston Road. The Minor Variance applications described above permitted a maximum height of 12.08 metres for the three townhouse units fronting on Weston Road. The MCR zone permits a maximum density of 2.5 times the lot area.

The R1 zone permits a maximum height of 11 metres with not more than 3 storeys for a residential building and a maximum floor space index of 0.6 times the area of the lot for the first 370 m² of lot area; plus 0.4 times the area of the lot for that portion of the lot area

in excess of 370 m² but less than or equal to 600 m², if any, plus 0.2 times the area of the lot for that portion of the lot in excess of 600 m² if any.

The property is not subject to City-wide Zoning By-law No. 569-2013.

Site Plan Control

The development proposal is not subject to Site Plan Control.

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

Provincial Policy Statement and Provincial Plans

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

CONCLUSION

The proposed Draft Plan of Common Elements condominium is considered appropriate for the orderly development of the lands and is recommended for approval.

CONTACT

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SIGNATURE

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

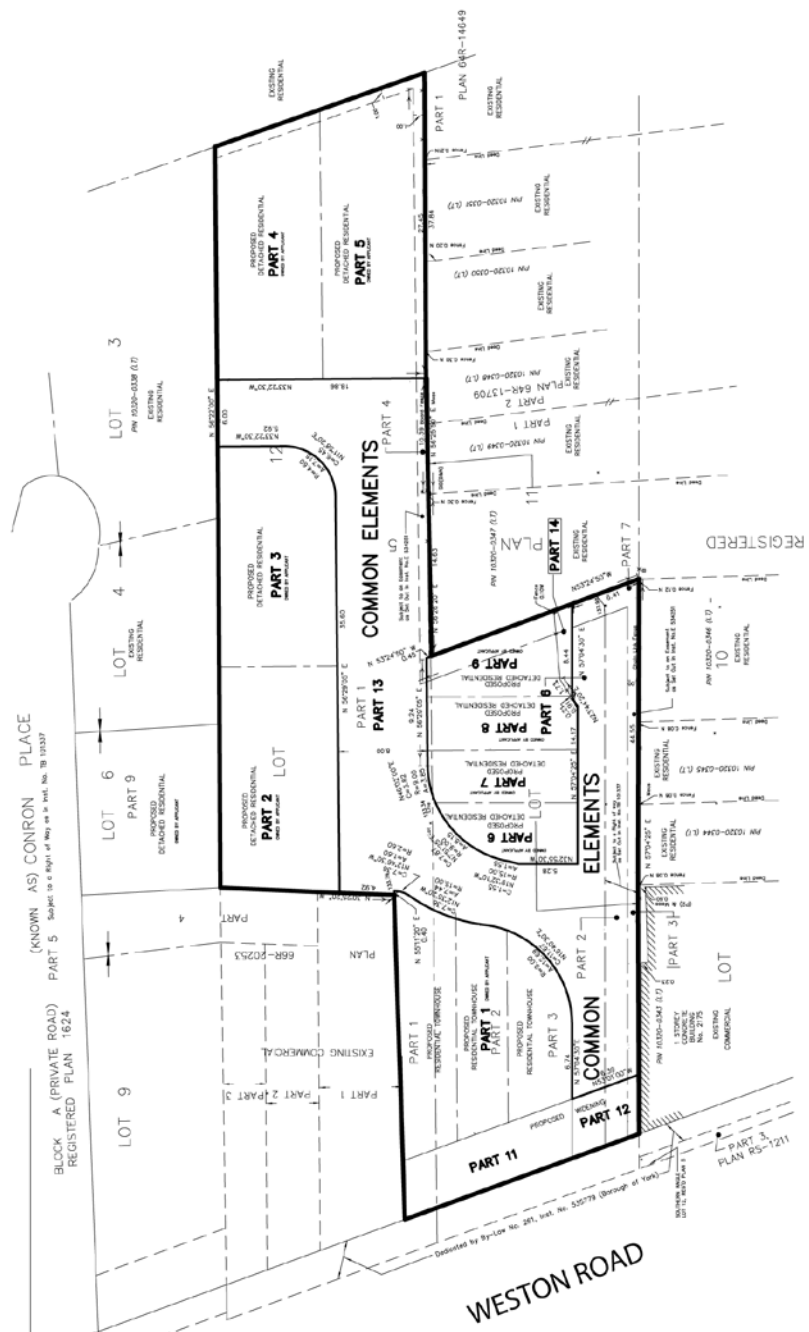
ATTACHMENTS

Attachment 1: Draft Plan of Common Elements Condominium

Attachment 2: Draft Plan Approval Conditions

Attachment 3: Application Data Sheet

Attachment 1: Draft Plan of Common Elements Condominium



2179 Weston Road

Draft Plan of Common Elements Condominium

Applicant's Submitted Drawing

Not to Scale
07/09/2015

File #15 147821 WET 11 CD

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 147821 WET 11 CD
Details	Common Elements	Application Date:	April 28, 2015

Municipal Address:	2179 WESTON RD
Location Description:	PLAN 5 PT LOTS 11 AND 12 RP 66R26484 PARTS 1 TO 9 13 14 16 18 TO 25 **GRID W1102
Project Description:	Draft Plan of Condominium (common elements) related to a residential development consisting of three (3) four-storey townhouses within a single block fronting Weston Road, and nine (9) three-storey detached dwellings.

Applicant:	Agent:	Architect:	Owner:
PAUL MARQUES ARCHITECT INC.	Erika Strangis		VENDA HOLDINGS CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods and Apartment Neighbourhoods	Site Specific Provision:
Zoning:	MCR and R1	Historical Status:
Height Limit (m):	12.08 and 11	Site Plan Control Area: No

PROJECT INFORMATION

Site Area (sq. m):	2522	Height:	Storeys:	4
Frontage (m):	0		Metres:	12.08
Depth (m):	0			
Total Ground Floor Area (sq. m):	627			Total
Total Residential GFA (sq. m):	1889		Parking Spaces:	12
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1889			
Lot Coverage Ratio (%):	24			
Floor Space Index:	0.74			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade		Below Grade
Rooms:	0	Residential GFA (sq. m):	1889	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	4	Industrial GFA (sq. m):	0	0
3 + Bedroom:	7	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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