

SECTION C

DRAFT PLAN OF CONDOMINIUM APPLICATIONS

Draft Plan of Condominium Applications

Introduction

Following a brief discussion on the purpose and type of condominium applications and general application requirements, this section outlines the differing review procedures for applications involving

- A) Standard and Phased Condominiums;
- B) Common Elements and Vacant Land Condominiums; and
- C) Rental Residential Conversions.

Application Purpose

Section 9(2) of the *Condominium Act* states that an application for condominium is processed in the same way as a Plan of Subdivision under Section 51 of the *Planning Act*, with necessary modifications.

This Act grants the City the authority to regulate the division of land and/or buildings through Plans of Condominium. This authority is used to regulate division of land and/or buildings into parcels or units that may be sold as part of a condominium corporation. It is also used to ensure that the rights of future owners are protected and that any interests/obligations in favour of the City are transferred from you to the future owners.

If you wish to divide your land into lots, blocks or units which can be sold, you must apply for:

- Draft Plan of Subdivision or
- Draft Plan of Condominium or
- Part Lot Control Exemption application or
- Consent for Severance

The *Condominium Act* classifies five types of condominium corporations (alone or in combination). These are:

- Leasehold
- Freehold, of which there are four types:
 - Common Elements
 - Phased
 - Standard
 - Vacant Land

You should determine which type of condominium corporation you wish to establish before filing your application. You should also consider applying for a Preliminary Project Review (PPR) and/or a Zoning Certificate review that will identify any features of your proposal that do

not comply with the Zoning By-law. Additional information is available at http://www.toronto.ca/building/project_review.htm

Draft Plan of Condominium Application Requirements

To ensure the City's interests are met and to appropriately assess the merits and technical aspects of your proposal, the City requires submission of a number of information items with your application(s). These are outlined below as Compulsory Requirements (those that will be required for the majority of applications) and Other Possible Requirements (those that are dependant upon the specifics of the application).

A pre-application consultation meeting is recommended to assist in determining which of these requirements must be provided as part of your initial application submission in order for it to be considered a complete application.

The City will endeavour to review your application and render a decision within the STAR target timelines. The City's commitment to the STAR target timelines will only begin once a complete application submission is received.

The level of detail required for most of the reports/studies listed below can vary, depending on the nature of your property and your proposal. In some cases, a single-page letter from a qualified expert will be adequate, while in other situations a major study will be necessary. The requirement and scope of any reports/studies can be assessed during your pre-application consultation meeting.

Application Requirements

Compulsory Requirements

- [Application Fees](#)
- [Completed Development Approval Application Form](#)
- [Application Requirements](#) (See shaded columns in chart, below)

Information/Studies

[Paper and Digital Submission Requirements for all Information/Studies](#)

Draft Plan of Condominium Application Requirements (Shaded Columns of Matrix)	Official Plan	Zoning By-law	Draft Plan of Subdivision	Draft Plan of Condominium	Consent to Sever	Site Plan Control
REQUIREMENTS of the CITY OF TORONTO ACT, PLANNING ACT and/or Regulations	•	•	•	•	•	
ADDITIONAL REQUIREMENTS of the OFFICIAL PLAN <i>In addition to the prescribed requirements of the Planning Act, the following non-prescribed information will also be required to evaluate a planning application, unless it is determined that certain studies, plans, drawings and reports are not applicable.</i> <i>Provision of the additional information indicated under the Official Plan, Zoning By-law, Draft Plan of Subdivision, Draft Plan of Condominium and Consent to Sever headings is mandatory under the Planning Act and this Official Plan.</i> <i>Provision of the additional information indicated under the Site Plan Control heading is not mandatory but may be requested by the City in order to enable a site plan control application to be evaluated.</i>						
<u>Completed Application Form</u> <i>– including Permission to Reproduce and Provision of Requisite Copies. Applicants are required to (a) grant the City permission to reproduce, in whole or in part, any document submitted as part of a complete application for internal use, inclusion in staff reports or distribution to the public for the purpose of application review, and (b) provide a reasonable number of copies of any such document, or parts thereof, in paper and/or electronic form, to the City for internal use and distribution to the public for the purpose of application review.</i>	•	•	•	•	•	•
<u>Boundary Survey</u> – showing and quantifying the area(s) of all land parcel(s) relevant to the development proposal.	•	•	•	•	•	•
Appropriate Plans and Drawings	•	•	•	•	•	•
<u>Planning Rationale</u> – containing a description of pre-application consultation, including any community outreach, public meeting(s) and interested persons contact list created by the applicant in accordance with City standards.	•	•	•	•	•	
Avenue Segment Review – when required by the provisions of Section 2.2.3.	•	•				
<u>Topographical Survey</u> – showing the area(s) of all land parcel(s) relevant to the development proposal.	•	•	•	•	•	•
Building Mass Model – physical or computer generated.	•	•				•
Pedestrian Level Wind Study – for buildings over six storeys/20 metres in height.		•				•
Sun/Shadow Study – for buildings over six storeys/20 metres in height.		•				•
Architectural Control Guidelines – when warranted by the scale or nature of the proposed development.		•	•			•
Urban Design Guidelines – when warranted by the scale or nature of the proposed development.		•	•			•
Community Services/Facilities Study – for large development proposals.	•	•	•			
<u>Housing Issues Report</u> – for applications that seek to demolish existing rental properties,	•	•		•		

Draft Plan of Condominium Application Requirements (Shaded Columns of Matrix)	Official Plan	Zoning By-law	Draft Plan of Subdivision	Draft Plan of Condominium	Consent to Sever	Site Plan Control
<i>intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares.</i>						
Contaminated Site Assessment – if any portion of a property is to be conveyed to the City (eg, parks, roads or lanes).	•	•	•		•	•
Natural Heritage Impact Study – if the proposed development is likely to have impacts on the Natural Heritage System shown on Map 9.	•	•	•		•	•
Environmental Impact Study – if the proposed development is likely to have impacts on aspects of the environment not adequately assessed in the Natural Heritage Impact Study.	•	•	•			•
Archaeological Assessment – for properties in the City's database of lands containing archaeological potential.	•	•	•		•	•
Heritage Impact Statement/Conservation Strategy – for properties in the City's Inventory of Heritage Properties, whether listed or designated, or adjacent properties where new development could have an impact on a heritage property.		•	•		•	•
<u>Arborist Tree Preservation Report</u>		•	•	•	•	•
<u>Green Development Standards Checklist</u> (aka Toronto Green Standard)		•	•	•		•
<u>Accessibility Design Standards Checklist</u>			•	•		•
Noise Impact Study		•	•		•	•
Vibration Study		•	•		•	•
Geotechnical Study – hydrological review to be included where warranted.		•	•		•	•
<u>Servicing and Stormwater Management Report(s)</u>		•	•	•	•	•
Transportation Impact Study	•	•	•			•
<u>Parking Study</u> – when proposal does not comply with City by-law standards.		•		•	•	•
Loading Study – when proposal does not comply with City by-law standards.		•			•	•
Traffic Operations Assessment – when warranted by the scale or nature of the proposed development.		•	•			•
Draft Amendments	•	•				

Plans/Drawings

[Paper and Digital Submission Requirements for all Plans/Drawings](#)

[General Requirements for all Plans/Drawings](#)

- [Boundary Plan of Survey](#)
- [Topographical Survey](#)
- [Draft Plan of Condominium](#)

Other Possible Requirements

- The Planner will advise what other appropriate information/studies and plans/drawings may be required to properly evaluate the application.

Review Procedure for Plans of Condominium

This section outlines the steps the City will undertake to review your application(s). It also provides important target timeline milestones in the STAR process so you can monitor the progress of your application(s) through the process.

There are three types of review procedures for Draft Plan of Condominium applications as outlined in the following sections.

Section A Applications for Standard or Phased Plans of Condominium, will be streamed Routine

Section B Applications for Common Elements or Vacant Land Plans of Condominium require the City to hold Public Meeting under the *Planning Act*, will be streamed Complex and have different review procedures and timelines.

Section C Applications to convert existing rental residential properties require a decision by City Council, will be streamed Complex and have different review procedures from the other Draft Plan of Condominium applications outlined above.

Section A - Review Procedure for Standard and Phased Plans of Condominium

This section outlines the steps the City will undertake to review your application for standard and phased plans of condominium. It also provides important target timeline milestones in the STAR process so you can monitor the progress of your application through the process.

Pre-Application Consultation

You are strongly encouraged to take advantage of Pre-Application Consultation as it will save you time and money as you proceed through the review process.

Speak to the Planning Consultant at your local district office before you complete and submit your application(s). The Planning Consultant will provide preliminary information and may also direct you to speak with other appropriate staff involved in development review. This will be followed by a more formal Pre-Application Consultation meeting arranged through a Planner.

The purpose of a Pre-Application Consultation is to determine what approvals are necessary, identify key issues, required approvals, supporting drawings and reports and studies that will be required as part of your formal submission to achieve complete application status in accordance with the Planning Act and the Toronto Official Plan.

Following the meeting, you will receive a completed Planning Application Checklist that will confirm what information and materials you need to include in your formal application submission.

Submission of Application

After receiving your application and application fees, the City will:

- Circulate your application to City divisions and external agencies for detailed technical review and comment (refer to Application Circulation section below); and
- Issue a written decision on the completeness of your application within 30 days, in accordance with the legislative requirements of the Planning Act and assign it a STAR stream (refer to Complete Application Decision section below).

Complete Application Decision

The Toronto Official Plan provides the City the statutory authority to require information, studies and plans for a complete application submission beyond the minimum requirements of the *Planning Act*. The City will consider your application(s) to be "complete" if it meets the complete application submission requirements of the *Planning Act* and Toronto Official Plan, as set out on page C2.

Within 30 days of payment of the application fee, you will be advised in writing as to:

- the completeness or incompleteness of your application(s) in accordance with the requirements of the *Planning Act* and Toronto Official Plan; and
- the assigned STAR stream and application file number.

A complete application submission will allow a more efficient and comprehensive review of all supporting material by the City and will trigger the following:

- The City's commitment to meet the STAR target timelines. Standard and Phased Condominium applications will be assigned a STAR Stream of "Routine" and are targeted for a decision within 4 months of a complete application submission; and
- The timeframe under the *Planning Act* for the City to make a decision on the application.

The City will consider your application(s) to be "incomplete" if it does not meet the complete application submission requirements of the Planning Act and Toronto Official Plan. Incomplete Application(s) Notifications will be accompanied by a listing of outstanding information and/or material that must be submitted for your application to be considered complete.

The Planning Act provides an administrative process that allows you to appeal the City's decision on your application completeness within 30 days after receipt of a negative notice by filing a motion for directions to have the Ontario Municipal Board determine:

- whether the information and material have in fact been provided; or
- whether a requirement made was reasonable

You are encouraged to submit all outstanding information and material as **one comprehensive package**. The City will process all applications to the greatest extent possible, however the City's STAR target timeline commitments for review of your application will only commence once a complete application is submitted.

Application Circulation

Your application will be circulated to a number of City Divisions and/or Agencies, Boards and Commissions for detailed technical review and comment. A complete application submission allows staff to undertake a more comprehensive review of your proposal and will help to reduce overall processing times.

The STAR process targets the first internal comments be provided to the City Planning Division within 6 weeks of the initial application submission.

Depending upon the circumstances of your property, various external agencies may also be asked to comment on your proposal. A list of external agencies that may be asked to comment on your application is included in Appendix 2 of this Guide.

Community Consultation Meeting

Although not required by the *Planning Act*, and it is rare for these applications, staff may hold a meeting with the local community on your Standard or Phased Plans of Condominium application. The meeting is organized by Planning staff and usually attended by the Ward Councillor.

The meeting provides staff an opportunity to outline the planning process to the local community and provide you an opportunity to publicly present your proposal. It also provides the local community an opportunity to comment on the proposal. This input is taken into account by City staff when discussing revisions to your proposal.

Technical review of your application will continue during this process.

Response to Applicant

The Planner assigned to your application(s) co-ordinates responses from the circulation and any comments from the public and the Ward Councillor. These responses are then forwarded to you for the purpose of revising your proposal.

While the Planner may provide you with early responses from City divisions, the STAR process targets the Planner to give you a response within 7 weeks of your application submission.

Application Revision and Resubmission

In response to the comments on your initial submission, you may be required to revise your proposal and/or provide additional information and material. Revised and/or additional information and material should be discussed, co-ordinated and submitted to the Planner.

Please Note:

- You must include a covering letter with all resubmissions that clearly indicates how and where your proposal has been revised and, if appropriate, why any requested revisions were not made.
- The target timelines of the STAR process assume you will make an appropriate resubmission to the City within 4 weeks of being advised that additional information and/or material is required. Should this not occur, the STAR target timelines may not be met.

It is during this step that the value of Pre-Application Consultation and the submission of a complete application is realized. The time and cost incurred by you from additional cycles of revisions and resubmissions can be significantly reduced by these actions.

Recirculation, Consultation, Further Revisions and Finalization of Application

This step in the process involves:

- Recirculating your revised proposal to the City Divisions, and/or Agencies, Boards and Commissions that need to review the changes;
- Holding further discussions over new material and/or technical matters;
- Conducting further consultations with the Ward Councillor or the local community; and
- Undertaking subsequent resubmissions and recirculations arising from these considerations.

These steps may be repeated until your application is finalized.

Draft Approval of Plan of Condominium

City Council has delegated approval authority for Plans of Condominium, with the exception of rental residential conversions, to the Chief Planner. The Chief Planner will issue draft approval of your application, with any appropriate conditions attached.

- The STAR process target is for your application to receive Draft Plan Approval by the Chief Planner within 4 months of a complete application submission.

The *Planning Act* provides an administrative and appeal process once the City approves your Plan of Condominium.

- The City must issue a notice within 15 days of the Chief Planner's draft approval.
- After this notice has been issued, there is a 20 day period within which a party can appeal this approval to the Ontario Municipal Board.
- If no appeal is submitted, the approval is deemed to be in effect.

A similar administrative and appeal procedure applies should the City refuse your application.

Satisfying Conditions for Draft Plan of Standard/Phased Condominium

If no appeal is submitted, approval of your Plan of Condominium is deemed to be in effect on the day that it was passed. You can begin to satisfy the conditions of draft approval and work towards the registration of your plan of condominium.

A number of conditions may be imposed in the Notice of Decision for draft plan approval that must be cleared prior to the issuance of Final Approval.

The following are standard conditions and *instructions* on how they may be cleared.

- The plans submitted for final approval and registration must be in accordance with the approved draft plans specified.

The planner will compare the Condominium Plan submitted for registration with the Plan referenced in the Condominium approval to see that there are no changes. The Plan submitted with the Condominium Application has been compared to and is the same as the approved Site Plan for the development. If you are aware that the plan has changed, you need to advise the Planner of this so that a decision can be made on what steps are necessary to proceed.

- The owner shall provide to the district Director of Community Planning confirmation that the taxes have been paid in full.

In the final stages of clearance of conditions and as close to registration of the condominium plan as possible, go to the City's tax Division and obtain a statement of account or tax certificate which shows the taxes have been paid to date.

Access the Revenue Services website at http://www.toronto.ca/taxes/property_tax/receipts.htm for further information.

- The owner shall file with the district Director of Community Planning a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules:
 1. Schedule "A" containing statement from the declarant's solicitor that in his or her opinion, based on the parcel register or abstract index and the plans and drawings recorded in them, the legal description is correct and the easements mentioned in the schedule will exist in law upon the registration of the Declaration and Description; and
 2. Schedule "G" being the certification of the project engineer and/or architect that all buildings have been constructed in accordance with the regulations made under the Condominium Act.

When the owner files a copy of the Declaration with the City of Toronto, it shall be accompanied with a letter of undertaking, stating that, "This is our undertaking to

register the Declaration in the same form and content as was provided to you, subject to any changes the Land Registrar may require. This is also our undertaking to provide you with a registered copy of the Declaration once it is registered. If the Land Registrar requires any amendments to the Declaration, we will advise you.”

This condition is satisfied by submitting a copy of the Declaration to the Planner. If there are approval authority conditions to be included in the Declaration and Description, you might want to submit a draft copy first to ensure the wording is acceptable to the City. Once the City is satisfied, your Solicitor should provide the Planner with a final version of the Declaration and Description together with an undertaking that includes the wording in the condition. The undertaking is necessary to satisfy the City that the declaration containing the wording as approved will be what is registered on title.

Visitors Parking Spaces

- Visitors parking spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain a clause clearly specifying visitors parking shall form part of the common elements and neither be used by or sold to unit owners or be considered part of the exclusive use portions of the common elements.

If the site requires visitor parking spaces, this condition is satisfied by providing the Planner with a draft declaration containing the wording in the condition.

Handicapped Parking Spaces

- The owner shall file with the district Director of Community Planning, a copy of the final Declaration and Description which contains a provision satisfactory to the Chief Planner or his designate whereby non-disabled owners and/or occupants of non-visitor handicapped parking units shall be obligated, upon notification by the condominium corporation, to exchange, at no cost to the disabled driver, the use of the handicapped parking unit with a disabled driver's non-handicapped parking unit.

If the site requires handicapped parking spaces, this condition is satisfied by providing the Planner with a draft declaration containing the wording to best reflect the arrangement for the specific type of parking.

Alternatively, non-visitor handicapped parking spaces can be made common element, however all condominium documents including the Declaration and Description must state that the condominium corporation will retain control over the spaces and that they cannot be made exclusive use portions of the common element. All non-visitor handicapped parking spaces must conform to one of the alternatives identified above.

Two or More Legal Entities Result

- The Owner shall ensure that there are separate water meters for the different components of the building or shall include wording in the Declaration that the services are to be shared and will designate who will be responsible to the local water authority (not to the City of Toronto in case of a change in the future) for payment in full of the water bill.

This condition is only used in the event that the condominium application may on registration result in two or more legal entities and it is satisfied by providing a draft declaration to the Planner that contains wording in the condition.

- The owner shall file with the district Director of Community Planning, fully executed copies of the following certificates satisfactory to the said Director:
 - (i) certification from the applicant's solicitor with respect to the creation of necessary easements;
 - (ii) certification from the applicant's surveyor with respect to the identification of necessary easements;
 - (iii) certification from the applicant's engineer with respect to the identification of necessary easements.

This condition is only used in the event that the condominium application may on registration result in two or more legal entities and is satisfied by providing certification.

Provided are templates for each certification to ensure City format:

Surveyor's Certificate <http://www.toronto.ca/planning/pdf/surveyorcertificate.doc>

Solicitor's Certificate <http://www.toronto.ca/planning/pdf/solicitorcertificate.doc>

Engineer's Certificate <http://www.toronto.ca/planning/pdf/engineercertificate.doc>

- 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 of Toronto for approval.

In advance of the final registration the Planner will check to ensure that the approval has not expired and the condominium can still be registered within the timelines in the condition.

Section B - Review Procedure for Common Elements or Vacant Land Plans of Condominium

This section outlines the steps the City will undertake to review your application for a common elements or vacant land condominium. It also provides important target timeline milestones in the STAR process so you can monitor the progress of your application through the process.

Pre-Application Consultation

You are strongly encouraged to take advantage of Pre-Application Consultation as it will save you time and money as you proceed through the review process.

Speak to the Planning Consultant at your local district office before you complete and submit your application(s). The Planning Consultant will provide preliminary information and may also direct you to speak with other appropriate staff involved in development review. This will be followed by a more formal Pre-Application Consultation meeting arranged through a Planner.

The purpose of a Pre-Application Consultation is to determine what approvals are necessary, identify key issues, required approvals, supporting drawings and reports and studies that will be required as part of your formal submission to achieve complete application status in accordance with the Planning Act and the Toronto Official Plan.

Following the meeting, you will receive a completed Planning Application Checklist that will confirm what information and materials you need to include in your formal application submission.

Submission of Application

After receiving your application and application fees, the City will:

- Circulate your application to City divisions and external agencies for detailed technical review and comment (refer to Application Circulation section below); and
- Issue a written decision on the completeness of your application within 30 days, in accordance with the legislative requirements of the Planning Act and assign it a STAR stream (refer to Complete Application Decision section below).

Within 14 days of submitting your application, you will be required to post a sign on the subject property in accordance with the procedures outlined in the application form. Contact the district Planning Consultant to obtain the name of the Planner assigned to your file and the City Application File Number.

Complete Application Decision

The Toronto Official Plan provides the City the statutory authority to require information, studies and plans for a complete application submission beyond the minimum requirements of the *Planning Act*. The City will consider your application(s) to be "complete" if it meets the complete application submission requirements of the *Planning Act* and Toronto Official Plan, as set out on page C2.

Within 30 days of payment of the application fee, you will be advised in writing as to:

- the completeness or incompleteness of your application(s) in accordance with the requirements of the *Planning Act* and Toronto Official Plan; and
- the assigned STAR stream and application file number.

A complete application submission will allow for a more efficient and comprehensive review of all supporting material by the City and triggers the following:

- The City's commitment to meet the STAR target timelines. Common Elements or Vacant Land Condominium applications will be assigned a STAR Stream of "Complex" and are targeted for a decision within 9 months from a complete application submission; and

- The timeframe under the *Planning Act* for the City to make a decision on the application.

Within 15 days of your application being deemed complete, the City will also issue a formal Notice of Application to the public in the newspaper, confirming receipt of your application in accordance with the requirements of the *Planning Act* and Toronto Official Plan.

The City will consider your application(s) to be “incomplete” if it does not meet the complete application submission requirements of the *Planning Act* and Toronto Official Plan. Incomplete Application(s) Notifications will be accompanied by a listing of outstanding information and/or material that must be submitted for your application to be considered complete.

The *Planning Act* provides an administrative process that allows you to appeal the City’s decision on your application completeness within 30 days after receipt of a negative notice by filing a motion for directions to have the Ontario Municipal Board determine:

- whether the information and material have in fact been provided; or
- whether a requirement made was reasonable

You are encouraged to submit all outstanding information and material as **one comprehensive package**. The City will process all applications to the greatest extent possible, however the City’s STAR target timeline commitments for review of your application will only commence once a complete application is submitted.

Application Circulation

Your application will be circulated to a number of City Divisions and/or Agencies, Boards and Commissions for detailed technical review and comment. A complete application submission allows staff to undertake a more comprehensive review of your proposal and will help to reduce overall processing times.

The STAR process targets the first internal comments be provided to the City Planning Division within 8 weeks of the initial application submission.

Depending upon the circumstances of your property, various external agencies may also be asked to comment on your proposal. A list of external agencies that may be asked to comment on your application is included in Appendix 2 of this Guide.

Community Consultation Meeting

Although not required by the *Planning Act*, and it is rare for these applications, staff may hold a meeting with the local community on your Common Elements or Vacant Land Condominium application. The meeting is organized by Planning staff and usually attended by the Ward Councillor.

The meeting provides staff an opportunity to outline the planning process to the local community and provide you an opportunity to publicly present your proposal. It also provides the local community an opportunity to comment on the proposal. This input is taken into account by City staff when discussing revisions to your proposal.

Technical review of your application will continue during this process.

Response to Applicant

The Planner assigned to your application(s) co-ordinates responses from the circulation and any comments from the public. These responses are then forwarded to you for the purpose of revising your proposal.

While the Planner may provide you with early responses from City divisions, the STAR process targets the Planner to give you a response within 9 weeks of your application submission.

Application Revision and Resubmission

In response to the comments on your initial submission, you may be required to revise your proposal and/or provide additional information and material. Revised and/or additional information and material should be discussed, co-ordinated and submitted to the Planner assigned to your file.

Please Note:

- You must include a covering letter with all resubmissions that clearly indicates how and where your proposal has been revised and, if appropriate, why any requested revisions were not made.
- The target timelines of the STAR process assume you will make an appropriate resubmission to the City within 6 weeks of being advised that additional information and/or material is required. Should this not occur, the STAR target timelines may not be met.

It is during this step that the value of Pre-Application Consultation and the submission of a complete application is realized. The time and cost incurred by you from additional cycles of revisions and resubmissions can be significantly reduced by these actions.

Recirculation, Consultation, Further Revisions and Finalization of Application

This step in the process involves:

- Recirculating your revised proposal to the City Divisions, and/or Agencies, Boards and Commissions that need to review the changes;
- Holding further discussions over new material and/or technical matters;

- Conducting further consultations with the Ward Councillor or the local community; and
- Undertaking subsequent resubmissions and recirculations arising from these considerations.

These steps may be repeated until your application is finalized.

Public Meeting at Community Council

The *Planning Act* requires the City to hold a Public Meeting to consider all applications for Common Elements and Vacant Land Plan of Condominium. This responsibility has been assigned to the four Community Councils or, if the application has City-wide significance, the Planning and Growth Management Committee.

Once your application has been finalized, the City will issue a formal notice of the Public Meeting in the newspaper in accordance with requirements of the *Planning Act*. If formal notice is not published in the newspaper, the City will require that you post the date and time of the Public Meeting on the sign erected on the property.

A Final Report that contains staff recommendations on your application is prepared for Community Council. The purpose of the Public Meeting is to consider the staff report and provide a public forum for debate on the merits of your application. You will have an opportunity to present your proposal, the public can write in or attend to make their views known and Community Council has the opportunity to evaluate your application.

City Council Decision

Community Councils and/or Planning and Growth Management Committee are empowered to make recommendations on your application to City Council. City Council has delegated the approval authority for Common Elements and Vacant Land Plans of Condominium to the Chief Planner, and makes recommendations to the Chief Planner based on the input of the Community Council and/or Planning and Growth Management Committee.

Draft Approval of Plan of Condominium

City Council has delegated approval authority for Plans of Condominium, with the exception of rental residential conversions, to the Chief Planner. The Chief Planner will issue draft approval of your application, with any appropriate conditions attached.

- The STAR process target is for your application to receive Draft Plan Approval by the Chief Planner within 9 months of a complete application submission.

The *Planning Act* provides an administrative and appeal process once the City approves your Plan of Condominium.

- The City must issue a notice within 15 days of the Chief Planner's draft approval.
- After this notice has been issued, there is a 20 day period within which a party can appeal this approval to the Ontario Municipal Board.
- If no appeal is submitted, the approval is deemed to be in effect.

A similar administrative and appeal procedure applies should the City refuse your application(s).

If no appeal is submitted, the approval of your Plan of Condominium is deemed to be in force on the day that it was passed. You can begin to satisfy the conditions of draft approval and work towards the registration of your plan of condominium.

Section C - Review Procedure for Residential Rental Conversions

This section outlines the steps the City will undertake to review your application to convert an existing rental property to condominium tenure. It also provides important target timeline milestones in the STAR process so you can monitor the progress of your application through the process.

City Council has retained the authority to make decisions on Rental Residential Conversion applications involving buildings with six or more rental units and less than six rental units, if requested by the Ward Councillor.

Important Information for Residential Rental Conversions

In addition to Plan of Condominium approval, these proposals may also require approval by City Council of both a Rental Housing Demolition and Conversion application under Section 111 of the City of Toronto Act and an Official Plan Amendment application. Future Development Guide updates will incorporate a new Chapter outlining review procedures for Rental Housing Demolition and Conversion applications.

In the interim, for further information on review procedures regarding Rental Housing Demolition and Conversion applications, please contact Community Policy staff at 416-392-8124 or 416-392-0421.

Pre-Application Consultation

You are strongly encouraged to undertake this Pre-Application consultation for Rental Residential Conversion applications, in particular, as it will save you time and money as you proceed through the review process.

Speak to the Planning Consultant at your local district office before you complete and submit your application(s). The Planning Consultant will provide preliminary information and may also direct you to speak with other appropriate staff involved in development review. This will be followed by a more formal Pre-Application Consultation meeting arranged through a Planner.

The purpose of a Pre-Application Consultation is to determine what approvals are necessary, identify key issues, required approvals, supporting drawings and reports and studies that will be required as part of your formal submission to achieve complete application status in accordance with the Planning Act and the Toronto Official Plan.

The City discourages these types of applications, especially until the vacancy rate for private rental apartments in the City is at or above 3% for three consecutive surveys. Should the vacancy

rate remain at or above this threshold for the specified period of time, the City would still be required to consider the appropriateness of the conversion application under the criteria of section 51(24) of the *Planning Act*.

Following the meeting, you will receive a completed Planning Application Checklist that will confirm what information and materials you need to include in your formal application submission.

Submission of Application

After receiving your application and application fees, the City will:

- Circulate your application to City divisions and external agencies for detailed technical review and comment (refer to Application Circulation section below); and
- Issue a written decision on the completeness of your application within 30 days, in accordance with the legislative requirements of the *Planning Act* and assign it a STAR stream (refer to Complete Application Decision section below).

Please note that you will also be requested to post a notice of the application in a visible, central area of the property, in a manner prescribed by the City.

Complete Application Decision

The Toronto Official Plan provides the City the statutory authority to require information, studies and plans for a complete application submission beyond the minimum requirements of the *Planning Act*. The City will consider your application(s) to be "complete" if it meets the complete application submission requirements of the *Planning Act* and Toronto Official Plan, as set out on page C2.

Within 30 days of payment of the application fee, you will be advised in writing as to:

- the completeness or incompleteness of your application(s) in accordance with the requirements of the *Planning Act* and Toronto Official Plan; and
- the assigned STAR stream and application file number.

A complete application submission will allow for a more efficient and comprehensive review of all supporting material by the City and triggers the following:

- The City's commitment to meet the STAR target timelines. Rental Residential Conversion Plan of Condominium applications will be assigned a STAR Stream of "Complex" and are targeted for a decision within 9 months from a complete application submission; and
- The timeframe under the *Planning Act* for the City to make a decision on the application.

The City will consider your application(s) to be “incomplete” if it does not meet the complete application submission requirements of the Planning Act and Toronto Official Plan. Incomplete Application(s) Notifications will be accompanied by a listing of outstanding information and/or material that must be submitted for your application to be considered complete.

The Planning Act provides an administrative process that allows you to appeal the City’s decision on your application completeness within 30 days after receipt of a negative notice by filing a motion for directions to have the Ontario Municipal Board determine:

- whether the information and material have in fact been provided; or
- whether a requirement made was reasonable

You are encouraged to submit all outstanding information and material as **one comprehensive package**. The City will process all applications to the greatest extent possible, however the City’s STAR target timeline commitments for review of your application will only commence once a complete application is submitted.

Application Circulation

Your application will be circulated to a number of City Divisions and/or Agencies, Boards and Commissions for detailed technical review and comment. A complete application submission allows staff to undertake a more comprehensive review of your proposal and will help to reduce overall processing times.

The STAR process targets the first internal comments be provided to the City Planning Division within 8 weeks of the initial application submission.

Depending upon the circumstances of your property, various external agencies may also be asked to comment on your proposal. A list of external agencies that may be asked to comment on your application is included in Appendix 2 of this Guide.

Preliminary Report to Community Council

Rental Residential Conversion applications involving buildings with six or more rental units and less than six rental units, if requested by the Ward Councillor are presented to Community Council or the Planning and Growth Management Committee (if the application has city-wide significance) for review and direction through a Preliminary Report. This report provides an early opportunity to raise and discuss any issues of concern, recommends direction on the extent of community consultation and indicates the expected timing for a final report to City Council.

- The Preliminary Report will be presented to Community Council or, if the application has City-wide significance, to Planning and Transportation Committee within two meeting cycles of the date you applied.

Technical review of your application will continue during this process.

Community Consultation Meeting

City Council has directed that the local community, including existing tenants, be consulted on Rental Residential Conversion applications involving buildings with six or more rental units and less than six rental units, if requested by the Ward Councillor. This meeting is organized by Planning staff and usually attended by the Ward Councillor.

The meeting provides staff an opportunity to outline the planning process to the local community, provide you an opportunity to publicly present your proposal. It also provides the local community an opportunity to comment on the proposal. This input is taken into account by City staff when discussing revisions to your proposal.

The STAR process assumes this meeting will be held within two months from the date that Community Council considers the Preliminary Report.

The City will, at least fourteen (14) days before the meeting, issue notice of the meeting to:

- Tenants of the subject building by prepaid first class mail.
- General public by placing an advertisement in the local community newspaper.

You will be requested to pay for the cost of providing notice of the meeting.

Response to Applicant

The Planner assigned to your application co-ordinates responses from the circulation, political input received through the consideration of the Preliminary Report and any public comments. These responses are then given to you for revising your proposal.

- While the Planner may provide you with early responses from City divisions, the STAR process requires the Planner to give you a response within 9 weeks of the application submission.

Application Revision and Resubmission

In response to the comments on your initial submission, you may be required to revise your proposal, provide and/or provide additional information or material. Revised and/or additional information and material should be discussed, co-ordinated and submitted to the Planner assigned to your file.

Please Note:

- You must include a covering letter with all resubmissions that clearly indicates how and where your proposal has been revised and, if appropriate, why any requested revisions were not made.
- The target timelines of the STAR process assume you will make an appropriate resubmission to the City within 6 weeks of being advised that additional information and/or material is required. Should this not occur, the STAR target timelines may not be met.

It is during this step that the value of Pre-Application Consultation and the submission of a complete application is realized. The time and cost incurred by you from additional cycles of revisions and resubmissions can be significantly reduced by these actions.

Recirculation, Consultation, Further Revisions and Finalization of Application

This step in the process involves:

- Recirculating your revised proposal to the City Divisions, and/or Agencies, Boards and Commissions that need to review the changes;
- Holding further discussions over new material and/or technical matters;
- Conducting further consultations with the Ward Councillor or the local community; and
- Undertaking subsequent resubmissions and recirculations arising from these considerations.

These steps may be repeated until your application is finalized.

Public Meeting at Community Council

City Council has retained the authority to make decisions on Rental Residential Conversion applications involving buildings with six or more rental units and less than six rental units if requested by the Ward Councillor. City Council has also directed that a Public Meeting be held to consider all such applications. This meeting is usually held at the appropriate Community Council or, if the application has City-wide significance, the Planning and Growth Management Committee. Once your application has been finalized, the City will issue the notice of the public meeting as directed through the Preliminary Report.

A Final Report containing staff recommendations on your application is prepared for Community Council or Planning and Growth Management Committee. The purpose of the Public Meeting is to consider the staff report and provide a public forum for debate on the merits of your application. You will have an opportunity to present your proposal, the public can write in or attend to make their views known and Community Council and/or Planning and Growth Management Committee has the opportunity to evaluate your application.

City Council Decision

For Rental Residential Conversion applications involving buildings with six or more rental units and less than six rental units, if requested by the Ward Councillor, Community Councils and the Planning and Growth Management Committee are empowered to make recommendations on your application to City Council for final decision. Based on these recommendations, City Council may approve or refuse your application to convert rental residential buildings to condominium tenure.

Draft Approval of Plan of Condominium

Should City Council approve your application, it will direct the Chief Planner to take any action necessary to give effect to that decision, including the provision of appropriate conditions.

Among other conditions, you may be required to undertake a Comprehensive Reserve Study, which may include:

- Physical analysis of the building components, to be undertaken by a qualified consultant agreeable to the City, evaluating the structural soundness and general condition and maintenance of the building and associated facilities, and the repairs needed to bring the building and facilities into compliance with property standards.
- Financial analysis of the contributions to the reserve fund that will be required to be paid over a period of time (not less than 30 years).
- The STAR process target is for the draft approval to be granted by the Chief Planner within 9 months of a complete application submission.

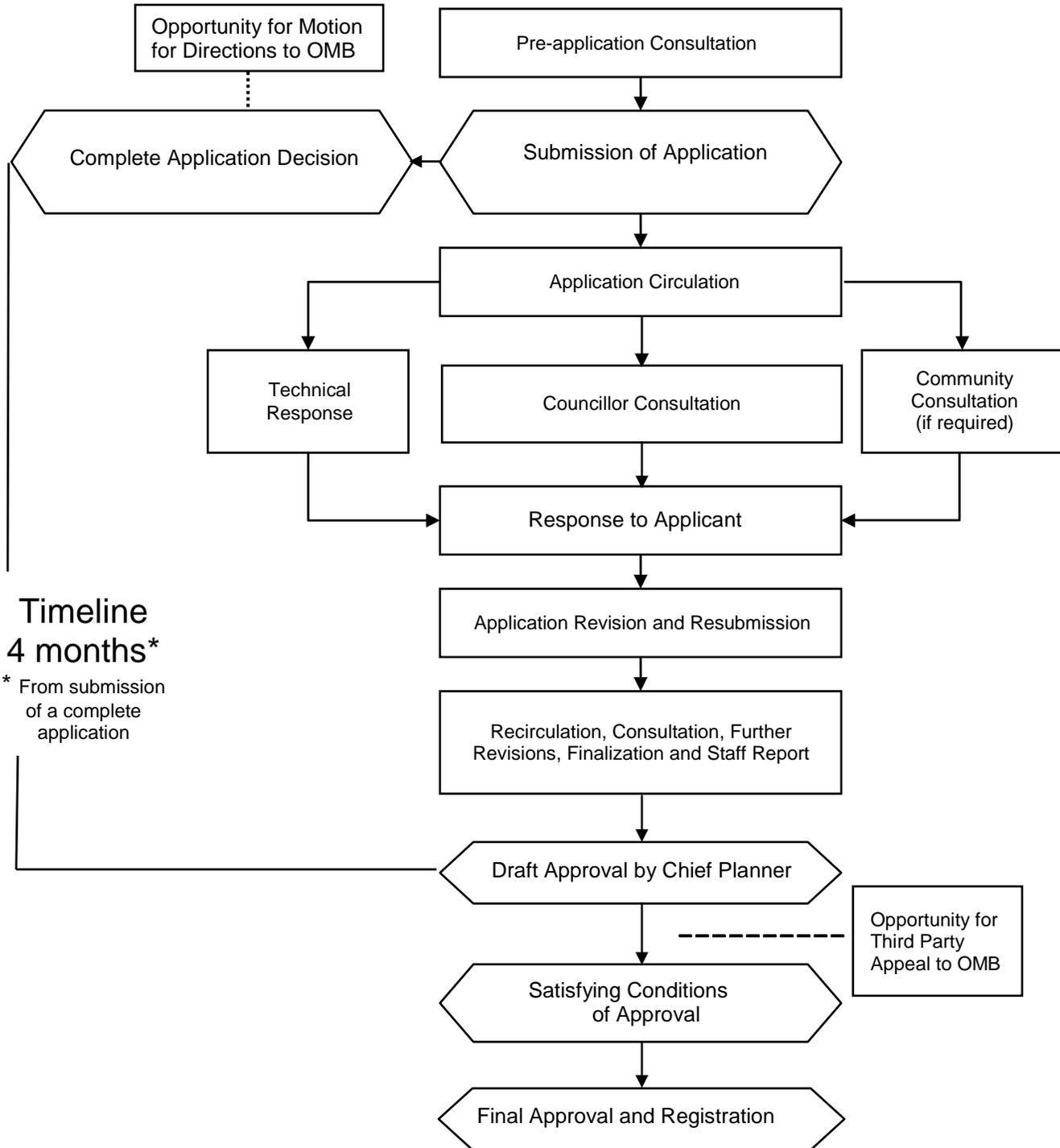
The *Planning Act* provides an administrative and appeal process should City Council approve your Rental Residential Conversion application.

- The City must issue a notice within 15 days of the Chief Planner's draft approval.
- After this notice has been issued, there is a 20 day period within which a party can appeal this approval to the Ontario Municipal Board.
- If no appeal is submitted, the approval is deemed to be in effect.

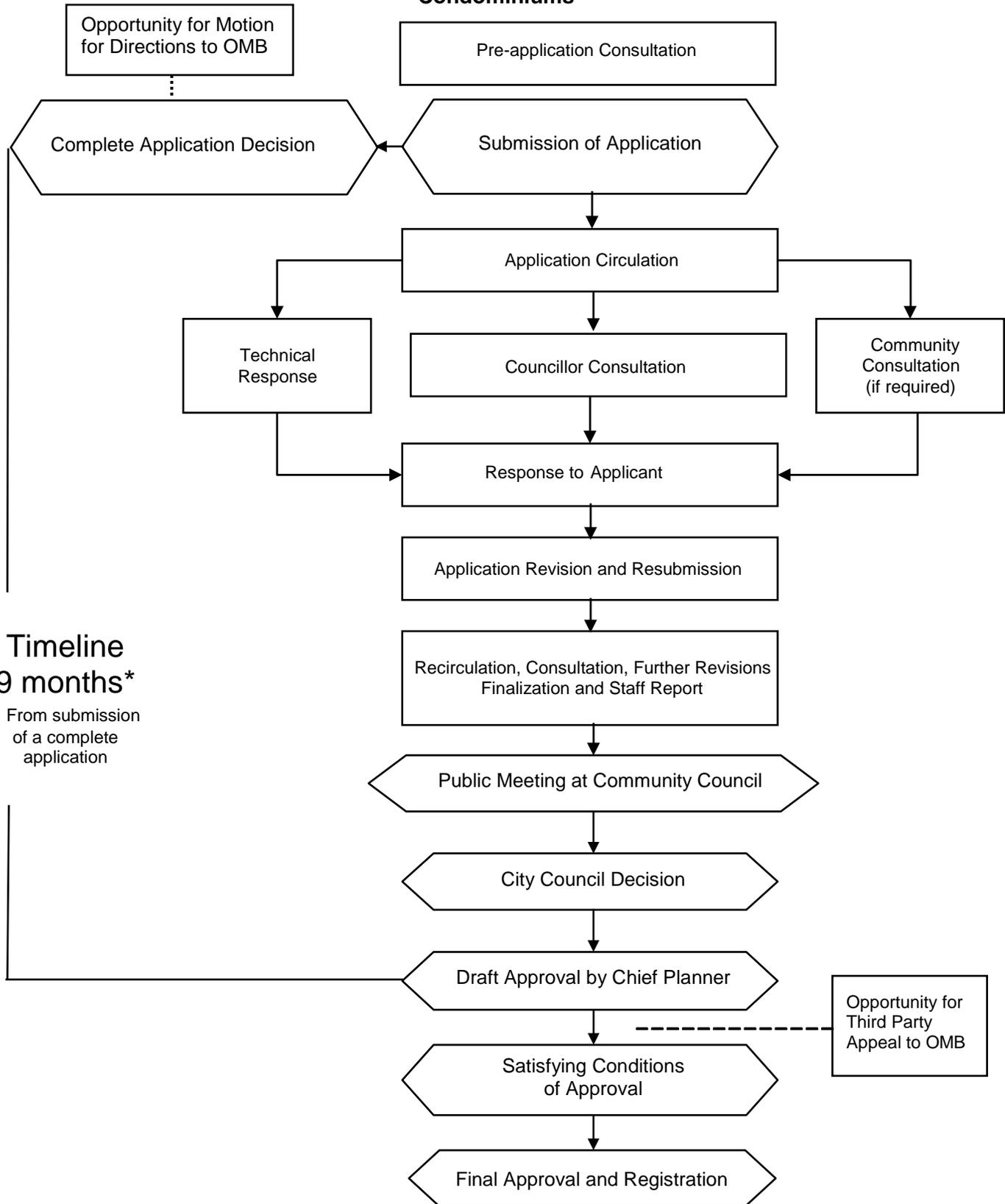
A similar administrative and appeal procedure applies should the City refuse your application(s).

If no appeal is submitted, approval of your Plan of Condominium is deemed to be force on the day that it was passed. You can begin to satisfy the conditions of draft approval and work towards the registration of your plan of condominium.

**Figure C-1
Applications for Leasehold, Freehold
Standard and Phased Condominiums**



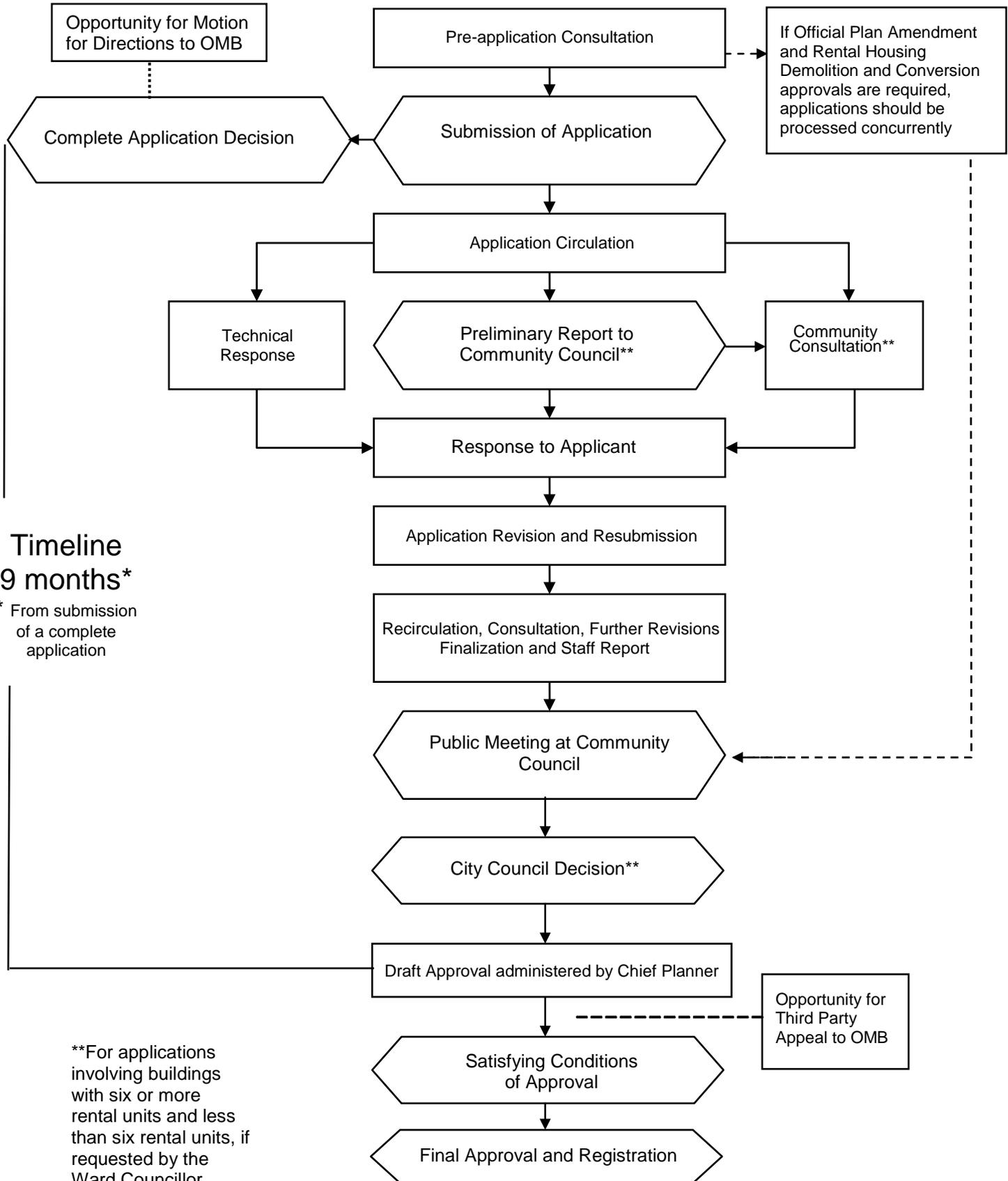
**Figure C2
Applications for Common Elements and Vacant Land
Condominiums**



**Timeline
9 months***

* From submission of a complete application

**Figure C3
Applications for Rental Residential Conversions**



**Timeline
9 months***

* From submission of a complete application

**For applications involving buildings with six or more rental units and less than six rental units, if requested by the Ward Councillor