



City of  
**Peterborough**

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**TO:** Members of the Planning Committee

**FROM:** Ken Hetherington, Manager, Planning Division

**MEETING DATE:** February 16, 2010

**SUBJECT:** Report PLPD10-012  
Application for Condominium Approval  
19 Units at 301 Carnegie Avenue

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## **PURPOSE**

A report to recommend that condominium approval be granted for 19 row-house type dwelling units at 301 Carnegie Avenue.

## **RECOMMENDATIONS**

That Council approve the recommendations outlined in report PLPD10-012 dated February 16, 2010 of the Manager of Planning as follows:

- a) That the application for condominium approval submitted by Triple T Holdings Limited to exempt 19 units from the Section 50 requirements of the *Planning Act* (as amended) in accordance with Subsection 50(3) of the *Condominium Act* (as amended) at 301 Carnegie Avenue be approved.
- b) That the condominium plans be submitted to the satisfaction of the Director of Planning and Development Services Department.
- c) That the Director of Planning and Development Services be given authorization to stamp, date, and sign the condominium plans indicating approval, by the Council of the Corporation of the City of Peterborough, under Section 50 of the *Condominium Act*, (as amended).

- d) That the registration of the condominium plans be withheld until such time as the majority of site work is complete, and the Building Division indicates that all the units are ready for occupancy.

## **BUDGET AND FINANCIAL IMPLICATIONS**

Assessed at the current rate, a total Development Charge of \$253,859.00 is due before the dwelling units may be occupied.

## **BACKGROUND**

This is the second phase of the “Ferghana” condominium development by Triple T Holdings Limited on Carnegie Avenue. The Planning Committee granted site plan approval for the development in September 2008, and the site plan agreement was executed in March 2009. With the execution of the site plan agreement, site work performance security in the amount of \$38,000.00 was received, and a parks levy in the amount of \$116,033.68 was deposited.

### **The Application**

An exemption to the procedures for approval pursuant to the Condominium Act apply under circumstances where all the public and municipal interests are satisfied by way of other Planning approval mechanisms. With respect to this application for condominium approval, the subject property is appropriately zoned and has site plan approval ensuring that all public and municipal interests have been addressed. The municipality must be satisfied that the Condominium plan conforms with the Zoning By-law and the approved site plan before granting approval.

This application for condominium approval relates to 19 dwelling units constructed at 301 Carnegie Avenue.

The site plan agreement was signed and registered on the title of the property. Before the registration of the condominium plan, the following criteria must be met:

- a) The development of the condominium must be substantially complete, and the associated site work must comply with the site plan agreement.
- b) The plan of condominium must conform to the City's Official Plan.
- c) The plan must comply with the City's Zoning By-law.

- d) The condominium units must be deemed to be ready for occupancy by the City's Building Division.

The development of the area of land, described in the condominium plan, must be substantially complete, including the storm water detention pond, grading and drainage, adequate facilities for the required on-site parking, and all the necessary service connections.

At the time of the writing of this report, all services to the development were installed, the rough grading was complete, and the interior finishing was underway. The site work must be substantially complete, and all the units ready for occupancy, before the condominium plans may be registered.

### **Official Plan and Zoning**

The subject property is zoned SP.312 – Residential District, which permits the construction of a total of 161 single storey row-house dwelling units.

The construction of the proposed 19 condominium units is in compliance with the Official Plan as well as all applicable Zoning By-law regulations.

## **SUMMARY**

The construction of the buildings associated with the condominium's development is progressing well, and is expected to be fully complete some time in April 2010. The City holds adequate site work performance security to ensure the property is developed in accordance with the Site Plan Agreement.

As is standard practice, staff are recommending that the condominium plans not be registered until staff have deemed the development of the property to be substantially complete and is in compliance with the site plan agreement. Additionally, the City's Building Division must have conducted their final inspection, and have indicated that all the new units are ready for occupancy.

Staff have reviewed the application, and are recommending approval of the condominium application based on the following:

- a) The developer declared his condominium intention with the City concurrent with an application for site plan approval, and the project is being constructed in accordance with regulations and standards associated with condominium development.

- b) The development conforms to the City's Official Plan and Zoning By-law. Additionally, the land as being developed, substantially complies with the site plan agreement, and the City holds sufficient security to ensure its completion.
- c) The buildings are newly constructed and are not conversions.

Submitted by,

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Ken Hetherington  
Manager of Planning

Prepared by,

Concurred with

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Brian Buchardt  
Planner of Urban Design

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Malcolm Hunt, Director  
Planning & Development Services

Contact Name:

Brian Buchardt, Planner, Urban Design  
Planning & Development Services – Planning Division  
Phone - 705-742-7777 Ext. 1734  
Fax - 705-742-5218  
email-bbuchardt@peterborough.ca

Attachments:

Exhibit A Land Use Map  
Exhibit B Site Plan  
Exhibit C Landscape Plan  
Exhibit D Site Grading and Drainage Plan  
Exhibit E Site Servicing Plan  
Exhibit F Building Elevation Drawings