

# CONDO: START TO FINISH PROCESS™

Krcmar's condominium development specialists have been involved in transforming the Toronto skyline for more than 30 years. Our goal for developing the Condo: Start to Finish Process™ is to help developers succeed—guiding them to avoid costly construction errors and delays and supporting them to complete their buildings, obtain registration and close units on time. We are pleased to share this information and hope you find it useful for achieving your business goals.

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START



CONDO:  
START TO FINISH PROCESS™

# 1

## Project Design + Pre-Development

### BASE SURVEY

conduct base survey; digital plan showing man-made and natural site features that may impact proposed development design

### BOUNDARY AND TITLE CERTIFICATION

certify boundary and confirm easements, including statutory Land Title Absolute assessment and application

### SITE INFORMATION

collect additional site details for municipal, provincial and regional authority applications

### DETAILS

Krcmar's role as the condominium surveyor begins in the preliminary stages of the project, assisting developers with the due diligence investigation and land acquisition. Early research clarifies title matters and may reveal problematic easements or encroachments to be addressed as part of the negotiations and land purchase.

The project consultants team assembles to gather site information for design, planning and municipal applications. One of the earliest investigations required for all consultant work is a detailed topographic plan with a certified legal boundary. Krcmar prepares an "as-is" site survey that facilitates fact-based planning and design. Site plan applications for many municipalities also

mandate a current topographic and boundary survey as part of the submission process. Krcmar's base survey includes marking the perimeter boundary and surveying man-made and natural features that may impact the proposed development design. Underground utilities location information, including service pipe invert elevations and dimensions, is often collected at this early stage.

Condominium developments commonly encounter numerous provincial and municipal regulatory hurdles that require proactive planning to overcome. All development lands intended for condominium ownership must be registered under Land Titles Absolute, per statutory mandates. Early application for conversion to this title status provides time

to tackle the certification process, address unusual title issues and answer any potential objections from problematic neighbours.

Krcmar is involved in further site data collection for various additional municipal, provincial and regional authority applications. We provide consultation on site-specific and design-impacting issues including: site area calculations; municipal/private easements; public road/lane widening dedication; conservation authority "top-of-bank" location requirements, setbacks and potential green-space dedication; local building-height precedents; existing tree inventory; and Ministry of Environment Record of Site Condition applications.

# 2

## Marketing + Sales

### LEGAL STRUCTURE

strategize optimal condominium legal structure for marketing and sales

### SUITE NUMBERING

establish numbering for unique municipal and legal suite designation

### UNIT AREAS

perform Tarion-compliance review for residential unit areas; perform review of related commercial saleable/gross-up areas

### DISCLOSURE

submit prerequisite condominium disclosure plans and schedules

### DETAILS

The pre-construction marketing and sale of new residential condominium units is strictly regulated by governmental agencies. Developers rely on the advice and expertise of their professional team to ensure legislated requirements for disclosure materials are met. Without this assistance, there is a risk that purchase and sale agreements may not be binding on purchasers.

Prior to the marketing and sales launch, in consultation with the architect and client, Krcmar establishes the appropriate residential suite numbering scheme, which varies for every condominium. We verify that suite areas are in compliance with Tarion and the Condominium Act. In contrast, commercial saleable areas are not governed by Tarion and typically include gross-up areas to maximize saleable square footage.

Following building design completion and site plan submission, the professional team meets to discuss overall condominium development details, planning strategy and prerequisite disclosure package preparation. Krcmar provides guidance on condominium development and sales strategy implementation.

In addition, Krcmar contributes directly to the disclosure package, providing legal disclosure sketches, unit boundary descriptions and exclusive use building area allocations—all to meet regulatory compliance requirements. The disclosure package documents are intended to provide purchasers with the comprehensive knowledge required to make an informed purchase decision. Among other things, the disclosure package describes the proposed

building ownership components, utility cost arrangements, the number and type of proposed condominium units and common elements, building amenities, maintenance fees and any shared facilities agreements with existing/proposed future buildings.

Overall consistency and integrity of the disclosure package is critical. As a member of the consulting team, Krcmar examines the disclosure documents to ensure that it is complete. Significant changes to the building design, phasing, amenities, etc., after purchase and sale agreements are signed may constitute a "material change to disclosure documentation." If this occurs, the client may be required to issue revised documents disclosing these changes in order for purchase and sale agreements to remain binding on the purchaser.

# 3

## Urban Construction

<b>DESIGN INFORMATION</b>	conduct site survey; compute and integrate design information into construction site coordinate network system
<b>LAYOUT ASSESSMENT</b>	assess construction layout needs for site; perform computations
<b>FIELD LAYOUT</b>	produce field layouts for underground garage and superstructure
<b>AS-BUILT COMPLIANCE</b>	confirm municipal zoning bylaw compliance of as-built underground and superstructure

### DETAILS

Krcmar’s specialized construction personnel are instrumental to construction layout planning. Determining the unique building requirements is fundamental. The first step is site reconnaissance, when a field survey is conducted to establish legal boundaries, assess construction-related factors and install the control network. Working design drawings from architectural, structural and shoring consultants are analyzed to strategize layout logistics and detect and resolve any discrepancies. A preliminary building check ensures municipal compliance of the proposed building placement, and a pre-design evaluation of the impact on neighbouring buildings will reveal if underpinning support is required.

Calculations will commence to integrate working drawings into the construction site coordinate system and to position the underground garage, grid lines and exterior piles. Krcmar’s computation specialists

translate the 2-D drawings of proposed underground garage and superstructures into actual 3-D ground models. We assess the scope of work based on the nature of the development and site specific requirements, setting additional control points around the site to provide reference for layout. Ongoing calculations continue to position columns, walls, elevator shafts, caissons, etc., with updates and revisions taking place from time to time as discrepancies between consultants are resolved.

Construction field layout commences with the layout of property lines, excavation, shoring system, grid lines and footings, followed by the layout of specified structural elements and/or grid lines at pre-determined floors as construction of the superstructure takes place. Construction layouts focus on both the site itself and the impact on neighbouring structures; shoring and excavation support systems may extend

onto adjoining public or private lands, necessitating approval from appropriate parties with requisite agreements in place. Ongoing as-built survey returns and tolerance checks will be conducted to confirm conformity to design specifications (elevators and slab edge) and adherence to construction tolerance, both horizontally and vertically.

The last crucial step is to verify that the final “as-built” structure is in compliance with municipal zoning bylaws, that building setbacks were adhered to, and that no unintended encroachments occurred. Depending on the municipal building permit process, we may undertake the final as-built structure survey in two stages: one for the foundation (i.e. underground garage) and then another for the completed superstructure. Proactive review and reporting of as-built results to the client will prevent delays or registration complications.

# 4

## Planning + Legal Compliance

<b>DRAFT PLAN</b>	ensure Planning Act compliance with municipal development application submission and draft plan of condominium
<b>PLANNING APPROVALS</b>	assess planning strategy and legal mechanisms for multiple component creation
<b>STRATA SEPARATION</b>	create multiple legal ownerships through separation (coloured) sketch and stratified 3-D reference plan
<b>LEGAL DESCRIPTION</b>	provide legal descriptions and easements for planning and registration authority approval

### DETAILS

Provincial and municipal laws strictly regulate the creation and structuring of new condominium land ownership entities. Krcmar’s role is to formulate and implement a development strategy, ensuring legal and planning compliance. This strategy considers the nature and complexity of the project, proposed ownership components and the client’s timing and financing needs.

Satisfying legal and planning compliance typically involves producing a draft plan of condominium, developing a planning strategy to legally separate the proposed ownerships, preparing a stratified 3-D reference plan and drafting legal descriptions with all necessary easements. The Planning Act mandates the contents, submission, and conditions outlined in

the municipality’s development application for approval of the draft plan of condominium. The application allows the municipality to confirm compliance with the approved site plan, as the draft plan includes a description of the land and shows a detailed layout of the proposed condominium units and common elements. Early draft plan submission may eliminate costly condominium registration

delays, as the application review process and resulting conditions' issuance alone can easily exceed six months in some municipalities.

The planning approval required for separating the land into a multi-component development site is generally achieved by: severance by a consent application from the Committee of Adjustment, passage of a bylaw for Part Lot Control exemption or registration of a condominium and easement creation through a "Schedule A" legal description. With consultants and the client, Krcmar develops a planning strategy that may utilize one or more of these approaches to legally separate the

ownerships. We simplify this multi-component process by preparing a separation (coloured) sketch for the proposed ownership components (each ownership is identified by a unique colour). This sketch shows each building floor including underground parking levels and includes an overlay of architectural information for the critical analysis that takes place during this initial stage. With the optimal strategy in place, we prepare a stratified reference plan to deal with the description and creation of necessary subject site limits and easements. As required, the plan defines the property in three-dimensional space—right down to

the elevators, exit stairs, visitor parking and service rooms. The complexity of these plans is seldom paralleled.

This intricate plan is used as a base for Krcmar's preparation of a comprehensive legal description document that provides the legal and operational framework for ownership separation within the site or building. Legal rights between various ownership entities are considered, including shared servicing, building maintenance, driving access, visitor parking, emergency exiting, construction (crane swing, tie-backs, shoring, construction vehicles) support, refuse and many others.

## 5

## Condominium Pre-Registration + Occupancy

### AS-BUILT UNITS

verify substantial compliance of as-built units and structures with on-site field confirmation

### OCCUPANCY DOCUMENTATION

provide occupancy documents for parking and locker numbering; legal/municipal suite numbering; and common expense and maintenance fee schedules

### DRAFT/SITE PLAN CONDITIONS AND CERTIFICATIONS

resolve municipal draft plan and site plan conditions

### SHARED FACILITIES

identify shared facilities for multi-party agreements

### DETAILS

As-built units and structures must substantially comply with the approved site plan drawings. As a Krcmar quality assurance practice, we start our field verification early and inspect the site on a regular basis until building construction is complete. We measure and confirm that as-built residential, parking and locker units are accurately depicted on the final condominium plan and substantially match the approved drawings. Residential units are sometimes combined or split to address market demand, thereby impacting municipal/legal numbering designations and unit-per-floor counts. Parking spaces need particular attention as zoning bylaws mandate minimum parking sizes, with deficiencies requiring a time consuming Committee of Adjustment resolution. Loss or re-design of lockers due to mechanical piping interference also needs consideration as it impacts purchaser locker allocation, legal unit count and occupancy maintenance fee calculations.

Krcmar's condominium pre-registration initiatives are triggered by the issuance of Draft Plan of Condominium conditions from the municipal planning department. These conditions vary for each project. They also impact all aspects of the development, and their satisfaction is the prerequisite

for a municipality's final condominium registration clearance. Site plan agreement matters, on the other hand, must either be satisfactorily completed or financial security posted to guarantee site work completion. Together with the development team, Krcmar prepares and provides requisite certificates and never hesitates to intercede on the client's behalf to resolve concerns raised by municipal staff that may delay registration.

As municipal clearance is issued for building occupancy, Krcmar assists the development team in confirming and updating purchaser occupancy documents. Interim closing and occupancy requires final legal and municipal numbering for all units (particularly with combined or split units) and final parking and locker unit assignments for the purchaser. These residential, parking and locker unit counts must be verified for accurate maintenance fee calculations and final budget adjustments, if required. Krcmar provides feedback on the approved common expenses/maintenance fee schedules (Schedule D; Schedule to Budget) including numbering, unit type and proportionate percentage allocation for contribution to common expenses. Compliance with Tarion Warranty Corporation Builder Bulletin 22 obligations may warrant residential suite area re-verification depending on the

evolution and revisions to the architectural drawing from time of marketing/sales to building construction. At this occupancy stage, we prepare for an on-site verification that legal/municipal suite numbers correlate with disclosure plans. Any inadvertent numbering mix-ups may result in a purchaser closing on and mortgaging the wrong unit.

Comprehensive shared facilities' arrangements must be established to manage the ownership, maintenance, repair and replacement of shared building structures and services. With our knowledge of the building and ownership limits, we work with the lawyer, architect, engineer and client, to legally describe, document and allocate costs for the various facilities shared by the parties. It is a collaborate effort between Krcmar and the development team to determine the principals that will govern proportionate funding among the entities. Formulas for cost allocation should be simple and understandable and rely on the total parking space count for underground parking and the total residential unit count or gross floor area for above-grade costs. Original shared facilities' costs from the preliminary budget documentation must be reviewed and adjusted for inclusion in occupancy/final common expenses.

# 6

## Condominium Registration

### AS-BUILT CONDOMINIUM

prepare final condominium plan and schedules of as-built structure

### RECORD DRAWINGS AND CERTIFICATIONS

coordinate architectural/structural record drawings and building completion certificates (Schedule G)

### PRE-APPROVAL

obtain pre-approval of condominium plans and legal condominium declaration from municipal and land registry office

### REGISTRATION

quarterback and expedite final package submission to municipality and land registry office for condominium registration

#### DETAILS

Krcmar provides one of our expert Ontario Land Surveyors to undertake a final site inspection just before the formal registration process commences. We confirm that the condominium plan and schedules reflect the condominium limits and as-built building structure, that operational easements support multi-component ownership, and that building projections remain within property limits. Sign bands, pylon site signage and building sign units are also finalized with the architect and client for legal condominium documents.

Krcmar coordinates directly with design consultants for municipal certification sign-off, Schedule G building substantial completion certificates and architectural/structural record drawings. Format and

inclusions of materials are reviewed by Krcmar to avoid delays at pre-approval and condominium registration. Submission for condominium pre-approval at the land titles office requires close coordination with the lawyer and property manager to finalize the condominium plan, condominium declaration and associated schedules.

Municipal and land titles office pre-approval is the start to final condominium registration. The condominium plan and declaration are examined in detail by each authority with each supplying pre-approval requisitions to be satisfied prior to condominium registration.

The actual registration process involves submitting the pre-approved final condominium plan to the municipality

and condominium declaration and record architectural/structural drawings directly to land titles office. Clearance of the draft plan conditions is the gateway for registration. Upon receipt of all requisite condominium documents, the condominium is registered and assigned the next sequential condominium corporation number within the land titles office.

Krcmar can significantly expedite the condominium registration process for clients by pro-actively coordinating with the development team, the construction team, design professionals, the municipality and land titles office staff, thereby creating a “painless” condominium registration.

# 7

## Condominium Post-Registration

### PLAN DISTRIBUTION

distribute registered condominium plan for closings and condominium Corporation Board turnover

### RESERVE FUND

define legal condominium limits and common elements for reserve fund audit

### SHARED FACILITIES AGREEMENT

provide advice and professional interpretation of multi-party obligations

#### DETAILS

Unit purchasers’ closings and title transfers are generally completed 20–30 days following condominium registration. The Registry office creates new legal Property Identification Numbers (PINs) for each unit, after which the purchasers’ lawyer reviews and confirms that the newly created title is accurate.

Krcmar provides the official registered condominium plan to the client and lawyer to enable closings, satisfy statutory turnover

obligations and facilitate a reserve fund audit. A legislatively mandated reserve fund audit, performed by a professional engineer, may invoke Krcmar’s assistance to ascertain common elements and confirm the legal condominium corporation limits (in multi-phase projects).

The inherent complexity of multiple ownership components sharing a single structure and services, particularly with three-dimensional stratified limits,

is a challenge for condominium boards and property managers to understand. Krcmar’s involvement in the documentation and creation of the shared facilities arrangements, as well as our extensive building and legal easement knowledge, makes us an invaluable resource for the condominium board.

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