

**Part Lot Control Exemption Application SC-L1998009
Mondeo Developments Inc.
740 Ellesmere Road
Dorset Park Community
Scarborough Wexford**

(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)

The Scarborough Community Council recommends the adoption of the following report (October 19, 1999) from the Director of Community Planning, East District:

Purpose:

This application seeks approval to lift Part Lot Control for the 31 live/work units, thereby allowing the division of the Block into individual lots, and the registration of easements for maintenance and minor encroachments.

Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that:

- (1) City Council enact a Part Lot Control Exemption By-law with respect to Block 108 on Registered Plan 66M-2330;
- (2) deem that the Part Lot Control Exemption By-law shall expire two (2) years from the date of the passing of the By-law; and
- (3) authorize any unsubstantive, technical, stylistic or format changes to the exemption by-law as may be required to give effect to this resolution.

Background:

Mondeo Developments Inc. has begun the construction of the Mondeo Community residential subdivision at the northeast quadrant of Birchmount and Ellesmere Roads. The next phase of development consists of the “live/work” units along the Birchmount Road street-edge. The subject lands are designated Residential Mixed Use in the Official Plan and provide for a variety of dwelling unit types. The lands are zoned Residential Employment permitting one dwelling unit per parcel having a minimum frontage of 5.5 metres (18 feet) on a public street and a minimum area of 142 square metres (1,528 square feet). The proposed development, as shown on Figure 1, conforms to the Official Plan and the Zoning By-law as varied.

Section 50(7) of the Planning Act, 1990, authorizes Council to adopt a by-law exempting lands within a registered plan of subdivision from part lot control. This method of land division allows lot lines to be established after the foundation for the homes are poured. Thereby avoiding a potential problem of party walls of attached dwelling units being built which do not coincide exactly with predetermined lot lines. In some instances parts of roof structures, such as eaves and soffits from one unit, will encroach upon the adjacent parcel necessitating easements. Easements are also necessary for access for maintenance purposes between adjacent dwellings. Lifting of Part Lot Control will allow these easements to be registered.

Conclusions:

The lifting of Part Lot Control on the subject lands will facilitate the lot division required to allow the units to be sold individually. It will also permit maintenance easements and encroachments to be registered allowing the development to proceed as approved by the former Scarborough Council.

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