

**Extension of the Expiry of Part-Lot Control Exemption
G. Bisnaire for Lexington Green Homes Ltd.
185 Wright Avenue
Ward 27, York Humber**

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

The York Community Council recommends the adoption of the following report (October 21, 1999) from the Director, Community Planning, West District:

Purpose:

To report on a request to extend the expiry date for Part-Lot Control exemption as it relates to five (5) semi-detached dwelling lots within a residential subdivision that is nearing completion of construction on lands in the vicinity of Jane Street and Lawrence Avenue West.

Funding Sources, Financial Implications and Impact Statement:

City funding is not required. There are no impacts on capital or operating budgets.

Recommendation:

It is recommended that:

- (1) Council enact a By-law to extend the expiration of Part-Lot Control exemption and to delete certain lots on the development site from Part-Lot Control exemption, in accordance with the draft Amending By-Law attached as Appendix 3 to this report; and
- (2) the appropriate City staff be instructed to give effect thereto including registration of the Amending By-Law once it is enacted.

Background:

- (1) Use of Part-Lot Control exemption

A semi-detached and single detached dwelling subdivision is nearing completion of construction on the lands formerly known as 185 Wright Avenue in the former City of York. (See Appendix 1 - Location Map).

On November 26, 1998 City Council enacted By-Law No. 823-1998 to exempt sixteen lots on Plan of Subdivision 66M-2326 from Part-Lot Control. The Part-Lot Control exemption will expire on December 31, 1999. The sixteen lots have been constructed with semi-detached dwelling houses and eleven have been conveyed. One half of each of the remaining five semi-detached lots namely lots 1 and 95 to 98 inclusive have been sold but will not close prior to the expiration of Part-Lot Control. These lots are shown on Appendix 2.

Forest Green Homes, the owner and developer of the subdivision, has requested that the existing Part-Lot Control By-Law be amended to extend the expiry of Part-Lot Control exemption for an additional six months to June 30, 2000, in order to complete the sales program for the remaining five lots.

Comments:

The request to extend the expiration of Part-Lot Control Exemption is reasonable. However, since eleven of the semi-detached lots have been sold and conveyed, there is no further need for these lots to be exempt from of Part-Lot Control.

The provisions of Section 50(7) of the Planning Act permit Council to amend a By-Law exempting lands from Part-Lot Control in order to delete part of the land described in it once Part-Lot Control exemption has served its purpose. Once the by-law amendment is enacted it is necessary to also register the amending By-Law in order to reinstate Part-Lot Control on those lots where exemption is no longer needed.

Schedule "A" to By-Law No. 823-1998 which describes the lands exempted from Part-Lot Control should therefore also be amended to apply only to the remaining lots, 1, 95 and 98, inclusive because they will not be conveyed prior to the end of this year.

Conclusions:

The request to extend the expiration of Part-Lot Control as it applies to the Subdivision development is reasonable. It is recommended that Council enact a By-Law in accordance with the draft By-law attached as Appendix 3 to amend Part-Lot Control exemption By-Law No. 823-1998 in order to:

- (i) extend the expiration of Part-Lot Control Exemption for a further six months to June 30, 2000, and;
- (ii) limit the operation of Part-Lot Control Exemption to Lots on Subdivision 66M-2326 which contains the remaining semi-detached dwellings to be conveyed as noted in this report.

Contact:

Lou Moretto, Manager of Community Planning, West District
Tel: (416) 394-2617; Fax: (416) 394-2782

Karen V. Bricker, MCIP
Director of Community Planning, West District

APPENDIX 3

Draft Amending By-law

Authority: York Community Council Clause No. , Report No. ,
As adopted by Council on

Enacted by Council:

CITY OF TORONTO

BY- LAW No.

To Amend By-law No. 823-1998 of the City of Toronto

WHEREAS Subsection 50 (7.4) of the Planning Act R.S.O. 1990, c.P.13, as amended, authorizes City Council by By-law to extend the time period specified by the expiration of a by-law to designate lands within a registered plan of subdivision as lands subject to part-lot control; and

WHEREAS Subsection 50 (7.5) of the Planning Act authorizes City Council by By-law to repeal or amend a by-law to designate lands with a registered plan of subdivision as land not subject to part-lot control, in order to delete part of the land described in it;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 823-1998 is amended by:
 - (a) deleting from paragraph 2 the date “December 31, 1997” and inserting in its place the following date “June 30, 2000”; and
 - (b) deleting Schedule “A” to By-law No. 823-1998 and replacing it with Schedule “A” attached hereto.

ENACTED AND PASSED this day of , A.D. 1999.

Mayor

City Clerk

SCHEDULE “A” TO BY-LAW No.

Lots 1, 95, 96, 97 and 98 on Plan of Subdivision No. 66M-2326 registered in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66).

Insert Table/Map No. 1
Forest Green Homes – Appendix 1

Insert Table/Map No. 2
Forest Green Homes – Appendix 2