

TORONTO STAFF REPORT

April 28, 2005

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report
Part Lot Control Application 03 177639 NMI 25 PL
Applicant: Georgian Bond Avenue Inc.
20-48 Bond Avenue & 11-57 Preakness Drive (Formerly 20 Bond Avenue)
Ward 25 – Don Valley West

Purpose:

The purpose of this application is to request an exemption from part lot control in order that 32 street-related townhouse units may be conveyed into separate ownership.

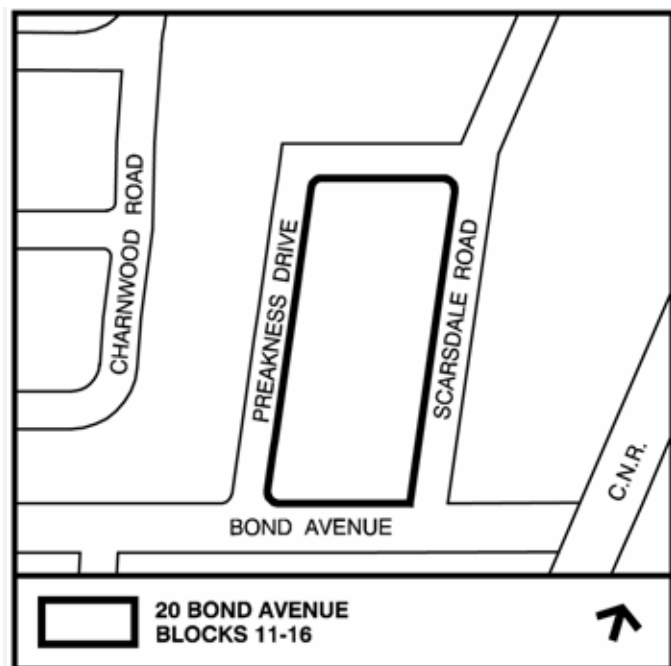
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) The application be approved;
- (2) The City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) Staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
- (4) The by-law shall expire two years from the date of enactment; and
- (5) The appropriate City Officials be authorized and directed to register the By-law on title.



Background:

Development of this plan of subdivision was the subject of a lengthy and detailed planning process that included two Ontario Municipal Board hearings and an application through the Committee of Adjustment.

On May 11 and 12, 1999 City Council refused an application submitted by the current owner that proposed amendments to the industrial designation and zoning on the site to residential to permit a plan of subdivision. It was Council's decision that the lands retain their industrial designation and zoning. The Council decision was subsequently appealed by the applicant to the Ontario Municipal Board.

In an Order issued November 9, 2000, the Board approved the amendments to permit a plan of subdivision comprising ten semi-detached dwellings along the west side of Preakness Drive, thirty eight live-work townhouse units along the east side of Preakness Drive and north side of Bond Avenue, an employment use on the block adjacent to Scarsdale Road (block 16), and a public park at the northwest corner of the subdivision.

At its meeting held on June 22, 23 and 24, 2004, City Council refused a subsequent application submitted by the owner to amend the industrial designation and zoning by-law as it pertained to the parcel of land fronting Scarsdale Road (block 16) to permit a 45-unit townhouse development with a limited live-work component. The Council decision was subsequently appealed by the applicant to the Ontario Municipal Board.

In an Order issued January 10, 2005, the Ontario Municipal Board dismissed the appeal without a full hearing on the basis that a land use decision affecting these lands had already been considered and decided by the Board in 2000.

Committee of Adjustment

Subsequent to the original decision of the Ontario Municipal Board, the owners made application to the Committee of Adjustment seeking minor variance approval on Blocks 11-15, the lands fronting Preakness Drive and Bond Avenue. The owner informed the Committee that since the time of the OMB hearing the owner commenced marketing of the project and found that there was little interest in a live-work arrangement that contained employment/work space as the predominant land use. As a result, a reduction in the required space to be allocated for employment use was sought. The application was for 32 grade related townhouses units.

On March 27, 2003, the Committee granted a reduction in the required percentage of live/work uses from 50-75% to 10-30% and a modification of the permitted building envelopes.

Comments:

The release of part lot control would permit the conveyance of each townhouse unit, the establishment of rights-of-way and easements as deemed necessary by the applicant, and would allow each unit to be held under separate ownership.

Site and Surrounding Area

The townhouses that are currently under construction form part of a new plan of subdivision located at the northwest corner of Bond Avenue and Scarsdale Road. A new public road (Preakness Drive) which connects Bond Avenue to Scarsdale Road bisects the plan of subdivision. Land uses west and south of the site are residential. Lands north and east of the site along Scarsdale Road are employment related. The following is a summary of the area context:

- East: industrial/employment uses, then the C.N.R right-of-way, then Bond Park;
- North: a place of worship fronting Scarsdale Road, Southwell Public Park, then industrial/employment uses;
- West: semi-detached dwellings, then the rear yards of single detached dwellings fronting onto Charnwood Avenue; and,
- South: rear yards of single detached dwellings fronting Chatfield Drive.

Official Plan

North York Official Plan

The lands are designated Industrial in the former City of North York Official Plan. This designation permits a wide range of industrial activities and employment uses, places of worship, schools and commercial uses (subject to locational limitations) as well as, limited housing opportunities. As noted previously, the Ontario Municipal Board approved an amendment to the official plan to permit residential uses on these lands that combine work space with living space (i.e., live-work).

New Toronto Official Plan

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. The City is now in the middle of prehearings with appellants at the Board. Once the Plan comes into full force and effect, the site will be designated as an *Employment Area*.

Zoning

The lands are included in site specific zoning by-law M1(28) – Industrial Zone One. The by-law is comprised of two parts.

Part One deals with the townhouse blocks that front onto Preakness Drive and Bond Avenue (blocks 11-15). The by-law for these lands includes performance standards for specific light industrial uses including permission for live-work dwellings provided that the employment use is the primary use (i.e., between 50-75% of the gross floor area). As noted previously in this report, the Committee of Adjustment approved minor variance to reduce the required percentage of live-work mix to a range of 10-30%.

Part Two of the zoning by-law deals with the parcel of land fronting Scarsdale Road (block 16). The by-law includes site specific performance standards for the full range of light industrial uses currently permitted within the M1 zone category.

Site Plan Control

The townhouses were granted site plan approval on March 16, 2004. A Site Plan Agreement was registered on September 21, 2004 as Instrument No. AT609455.

Conclusions

This application is consistent with the City's part lot control exemption policy. The issues regarding this development have been reviewed and all matters of concern to the City, related to the development of the subject lands, are addressed by the requirements of the North York Zoning By-law 7625, as amended. This report recommends that the lands municipally known as 20-48 Bond Avenue and 11-57 Preakness Drive (Blocks 11-16 as shown on Attachment 1) be exempted from part lot control for a period of two years.

Contact:

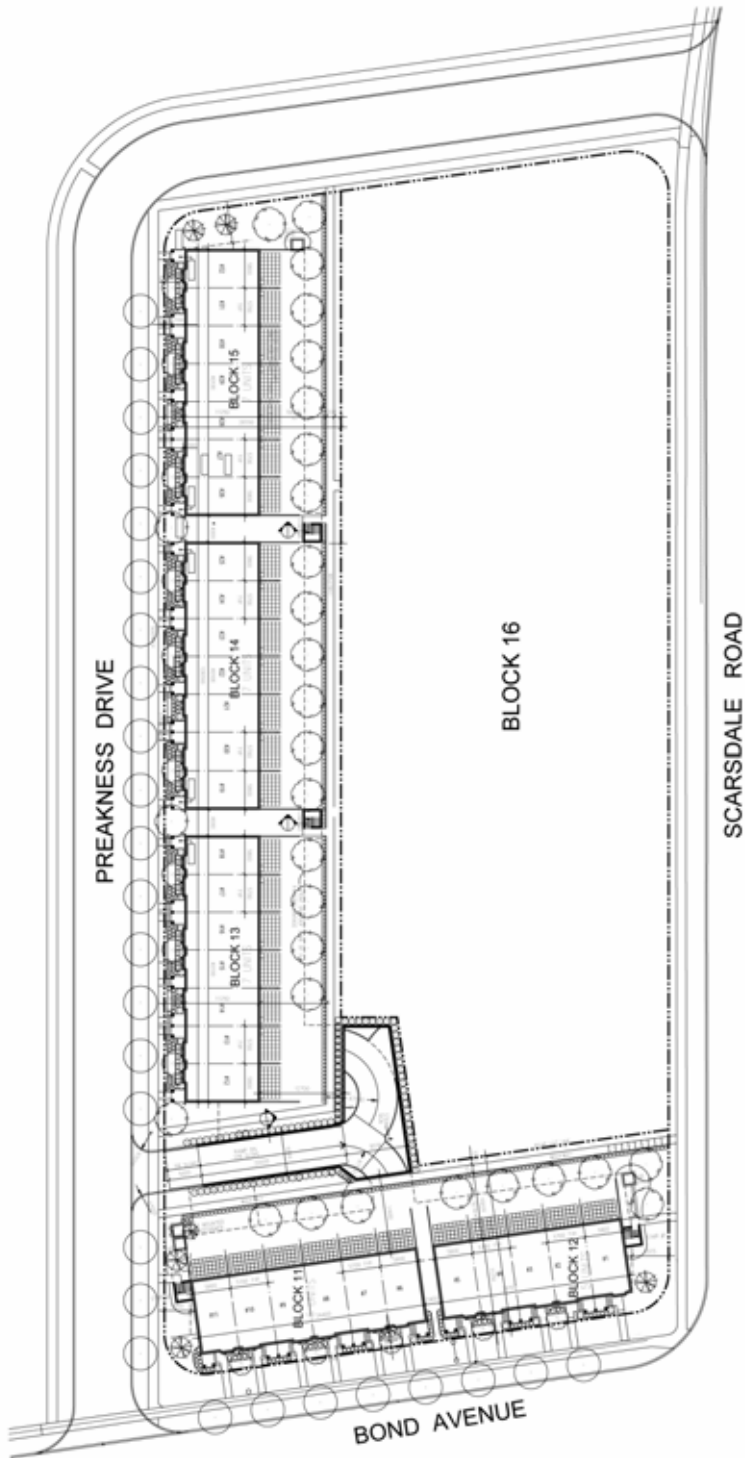
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Thomas C. Keefe
Director, Community Planning, North District

List of Attachments:

Attachment 1: Site Plan
Attachment 2 Application Data Sheet

ATTACHMENT 1



Site Plan

Applicant's Submitted Drawing

Not to Scale
04/19/05



20 Bond Avenue: Blocks 11-16

File # TD CMB 2002 0015

ATTACHMENT 2

APPLICATION DATA SHEET

Application Type	Part Lot Control	Application Number:	03 177639 NMI 25 PL
Details		Application Date:	September 23, 2003

Municipal Address: 20 BOND AVE, Toronto ON
 Location Description: PLAN M525 LOT 5 **GRID N2505
 Project Description: The purpose of this application is to request exemption from part lot control in order that 32 street related townhouse units may be conveyed into separate ownership.

Applicant:	Agent:	Architect:	Owner:
GEORGIAN BOND AVENUE INC.			GEORGIAN BOND AVENUE INC.

PLANNING CONTROLS

Official Plan Designation:	IND	Site Specific Provision:	
Zoning:	M1(28)	Historical Status:	
Height Limit (m):	9.2	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	6187.64	Height:	Storeys:	3
Frontage (m):	0		Metres:	10.2
Depth (m):	26.55			
Total Ground Floor Area (sq. m):	2089.13			Total
Total Residential GFA (sq. m):	5772.47		Parking Spaces:	66
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	5772.47			
Lot Coverage Ratio (%):	33.99			
Floor Space Index:	0.93			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	5772.47	1671.27
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	32	Institutional/Other GFA (sq. m):	0	0
Total Units:	32			

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