

TORONTO STAFF REPORT

August 30, 2005

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report
Part Lot Control Application 05 173703 NMI 25 PL
Applicant: Georgian Bond Avenue Inc.
28, 30, 32A & 36 Preakness Drive
Ward 25 – Don Valley West

Purpose:

The purpose of this application is to request the exemption from part lot control in order that 4 semi-detached dwelling units along the west side of Preakness Drive may be conveyed into separate ownership. The lands had been exempt by By-law 887-2003 however the by-law expired on March 24, 2005.

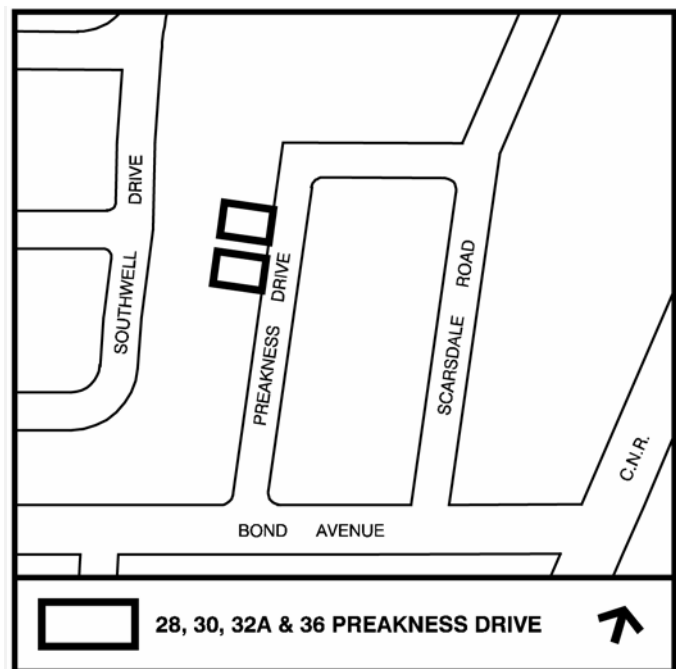
Financial Implications and Impact Statement:

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 one year from the date of enactment; and,
- (5) The appropriate City Officials be authorized and directed to register the By-law on title.

Background:

History:

The four lots that are the subject of this application form part of a plan of subdivision that was the subject of a long and extensive planning process that culminated in an Ontario Municipal Board Order issued September 10, 2001. The Board approved an amendment to the official plan, zoning by-law and draft plan of subdivision to accommodate a mix of live-work (or home occupation) uses, either in the form of townhouses or semi-detached units along Bond Avenue and Preakness Drive, and a parcel of land along the Scarsdale Road frontage to be developed for purely industrial/employment purposes.

Site and Surrounding Area

The plan of subdivision is located in the area east of Leslie Street and south of York Mills Road. This application concerns 4 of the 20 semi-detached dwelling units that have recently been constructed on the west side of Preakness Drive. . Preakness Drive is a new public road that bisects the subdivision connecting Bond Avenue to Scarsdale Road. The semi-detached units are identified as Blocks 1-10 on Attachment 1. The four subject lots are identified as Parts 4, 5, 7 and 8 on Attachment 2. The following is a summary of the area context:

- East: 32 street related townhouses currently under construction across Preakness Drive then industrial/employment uses;
- North: a public park then industrial/employment uses;
- West: the rear yards of single detached dwellings fronting onto Charnwood Avenue; and,
- South: rear yards of single detached dwellings across Bond Avenue and fronting Chatfield Drive.

Official Plan:

North York Official Plan

The subject lands are designated Residential Density Two (RD2) in the former City of North York Official Plan. This designation permits a range of residential uses such as single detached, semi-detached and multiple attached dwellings such as townhouses. A site-specific amendment for these lands includes permission to accommodate workspace within the unit (i.e., live work) provided that the dominant use of each unit is residential. The percentage of floor area devoted to employment uses(s) for the units is set out in the implementing site specific zoning by-law.

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 lands will be designated as *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses and townhouses.

Zoning:

The properties are zoned RM2(29) which permits semi-detached dwellings and live-work uses (i.e., offices, studios and personal service shops). Live-work uses are to be located in the basement level only, occupy a minimum of 10% to a maximum of 30% of the total floor area of the unit, and must be conducted by a member of the family who lives in the dwelling. The by-law site specific zoning includes performance standards for minimum lot areas, frontages and setbacks, and maximum coverage, building lengths, and building heights.

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 1-10 which include the 4 subject lots.

On May 26, 2005, the Committee approved variances with respect to building height to permit 12 of the 20 semi-detached dwelling units to remain as constructed. The applicant had advised that the single variance requested in each application was the result of the grading completed on the site at the time of construction. The constructed height of the dwelling units ranged between 0.37m to 0.50m above the maximum permitted heights.

Comments:

An exemption from part lot control on the 4 subject lots was covered under By-law 887-2003 which expired on March 24, 2005. The extension of part lot control would permit the conveyance of each semi-detached unit and allow each unit to be held under separate ownership.

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 28, 30, 32A & 36 Preakness Drive (Block 2 and part of Blocks 3 and 4) be exempted from part lot control for a period of one year.

Contact:

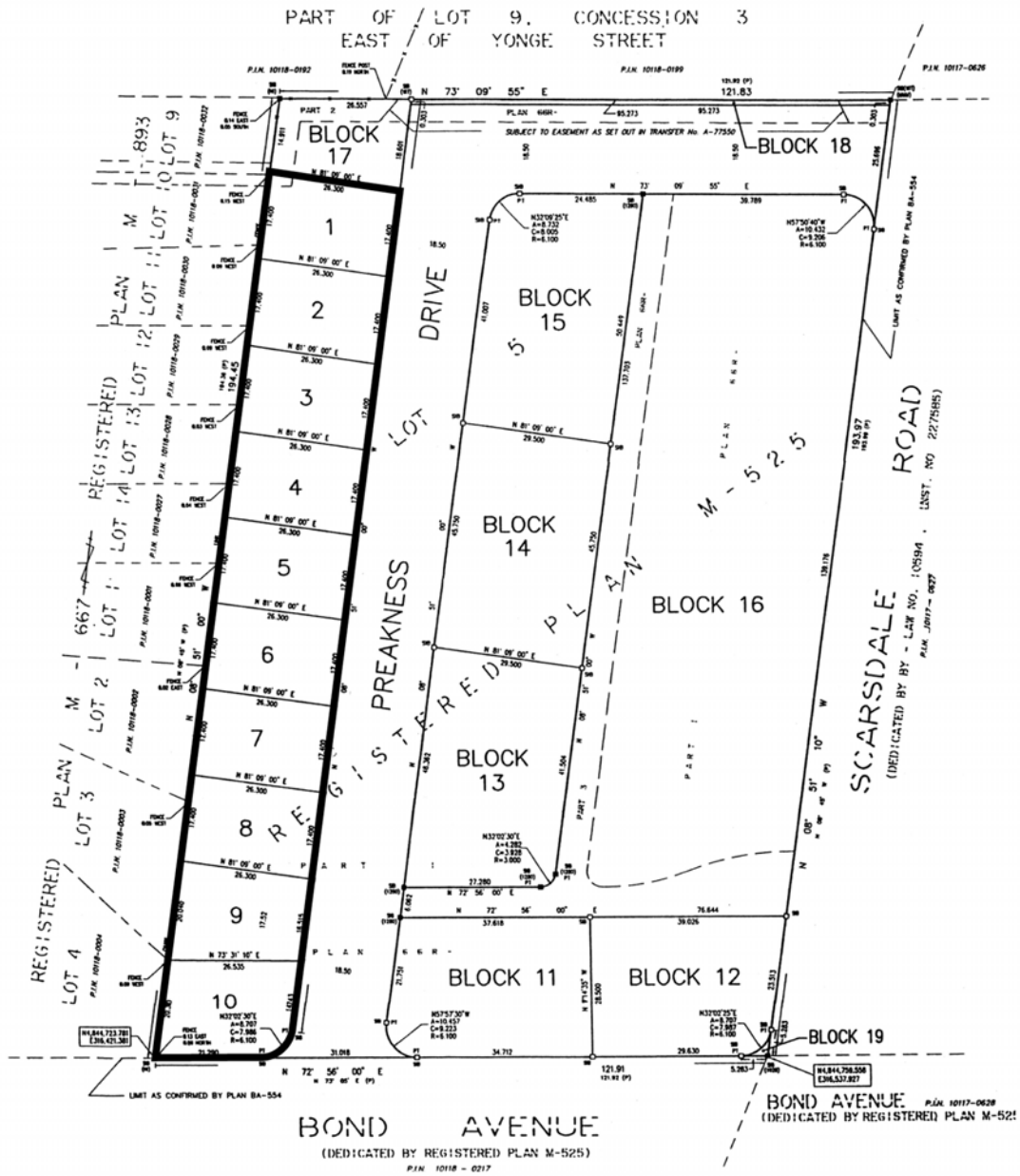
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List of Attachments:

Attachment 1: Plan of Subdivision
Attachment 2: Plan of Survey

ATTACHMENT 1



Plan of Subdivision

Applicant's Submitted Drawing

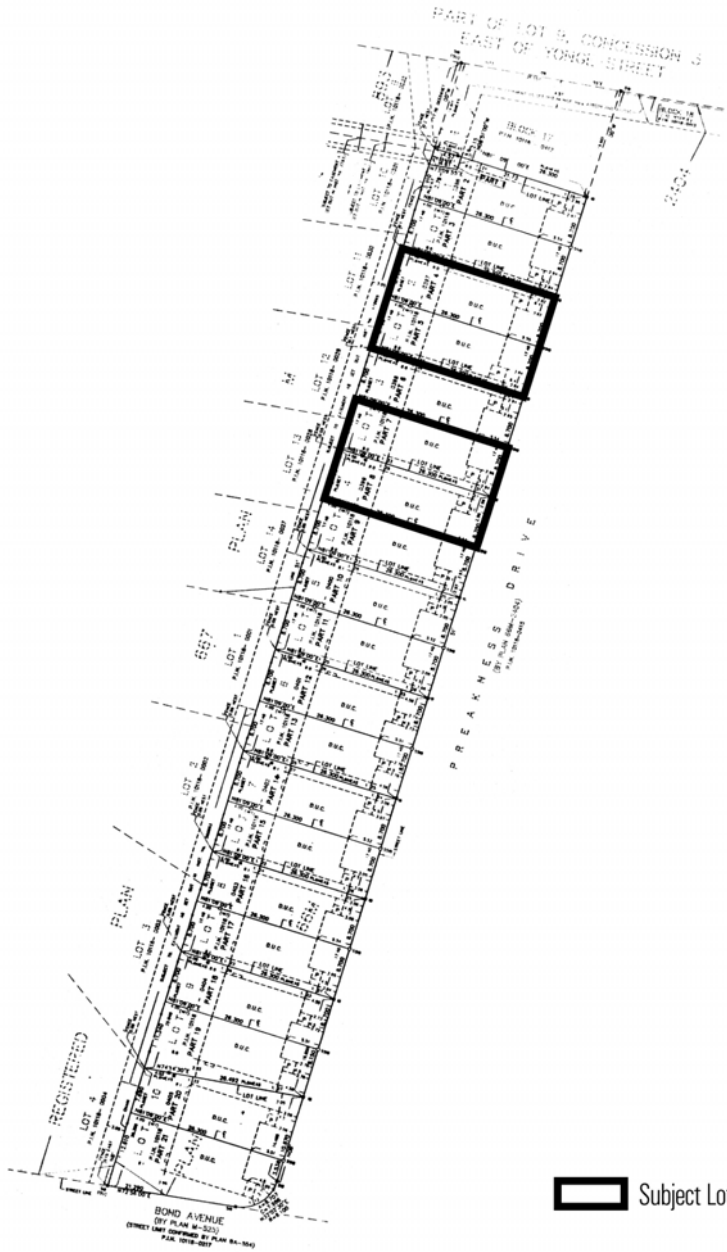
Not to Scale
08/29/05




Blocks 1-10 Plan 66M-2404 (Preakness Drive)

File # 05_173703

ATTACHMENT 2



 Subject Lots

Plan of Survey
Applicant's Submitted Drawing
Not to Scale 
08/29/05

Blocks 1-10 Plan 66M-2404
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