

**977, 979 and 981 Kipling Avenue
Part Lot Control Application – Final Report**

Date:	January 30, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 5 – Etobicoke Lakeshore
Reference Number:	File No: 05 210670 WET 05 PL

SUMMARY

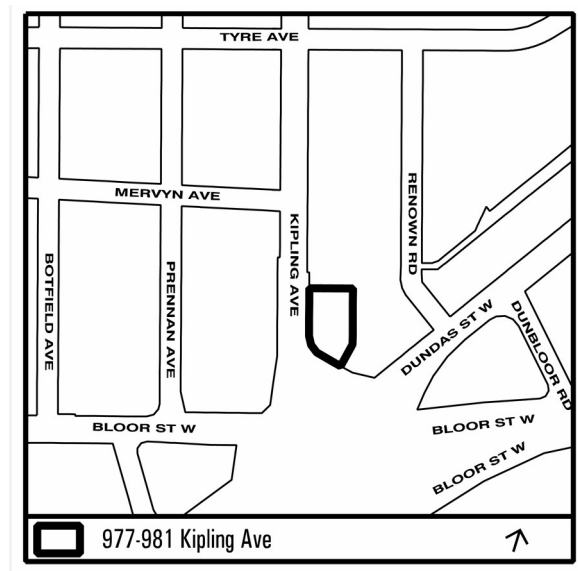
This report reviews and recommends approval of an application by St. Andrews Lane Inc. to lift Part Lot Control for a development consisting of 20 townhouse dwelling units, on lands municipally known as 977, 979 and 981 Kipling Avenue. An exemption from Part Lot Control will allow the site to be subdivided into 20 individual residential lots.

An exemption from Part Lot Control is appropriate as the townhouse development conforms to the Official Plan and the site is zoned to permit 20 townhouses. The lifting of Part Lot Control for a period of two years is considered to be appropriate for the orderly development of these lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct that a Part Lot Control Exemption By-law with respect to the subject lands be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire two years after it has been enacted;



2. City Council authorize the City Solicitor to introduce the necessary Bill provided that:
 - (a) all tax arrears and current taxes owing be paid in full; and
 - (b) the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands without the prior written consent of the Chief Planner or his delegate;
3. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 restriction at such time as the Common Elements Condominium Plan has been registered;
4. City Council authorize and direct the appropriate City Officials to register the By-law on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On November 18, 2005, the Ontario Municipal Board (OMB) issued Decision/Order No. 3052 approving amendments to the former City of Etobicoke Official Plan and Etobicoke Zoning Code to permit the development of the site for townhouses. The OMB granted site plan approval for the development of 20 townhouse units in its Decision/Order.

ISSUE BACKGROUND

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate parcels for the 20 townhouse dwelling units on the property. To allow for the eventual conveyance of the individual lots, an exemption from Part Lot Control will allow the site to be subdivided into 20 individual residential lots.

Site and Surrounding Area

The site has frontage comprising Kipling Avenue and the vehicular ramp from Dundas Street West to Kipling Avenue. To the north, west and east of the site are detached residential dwellings, as well as, a commercial property on Dundas Street. To the south of the site is the ramp system for the Six Points Interchange. Townhouse units are currently being constructed on the lands.

COMMENTS

Section 50(7) of the Planning Act, R.S.O.1990, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot Control. The subject lands are within a registered plan of subdivision (Registered Plan 1602).

To ensure that the creation of a Common Elements Condominium Corporation is completed and registered before lots are sold, it is recommended that the owner of the lands first register a Section 118

Restriction under the Land Titles Act. The Restriction requires the owner to agree not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his delegate. Once confirmation is received from the owner that the Common Elements Condominium Plan has been registered, the City Solicitor will take the necessary steps to delete the Section 118 Restriction from the title of the lands.

To ensure that Part Lot Control does not remain open indefinitely, it is recommended that the exempting By-law contain an expiration date. In this instance, the By-law should expire two years after being enacted. A two year time frame normally provides sufficient time for the completion of the project.

The application was circulated to all appropriate agencies and City Divisions.

An exemption from Part Lot Control is appropriate as the townhouse development conforms to the Official Plan and the Zoning Code permits 20 townhouses on the site.

CONTACT

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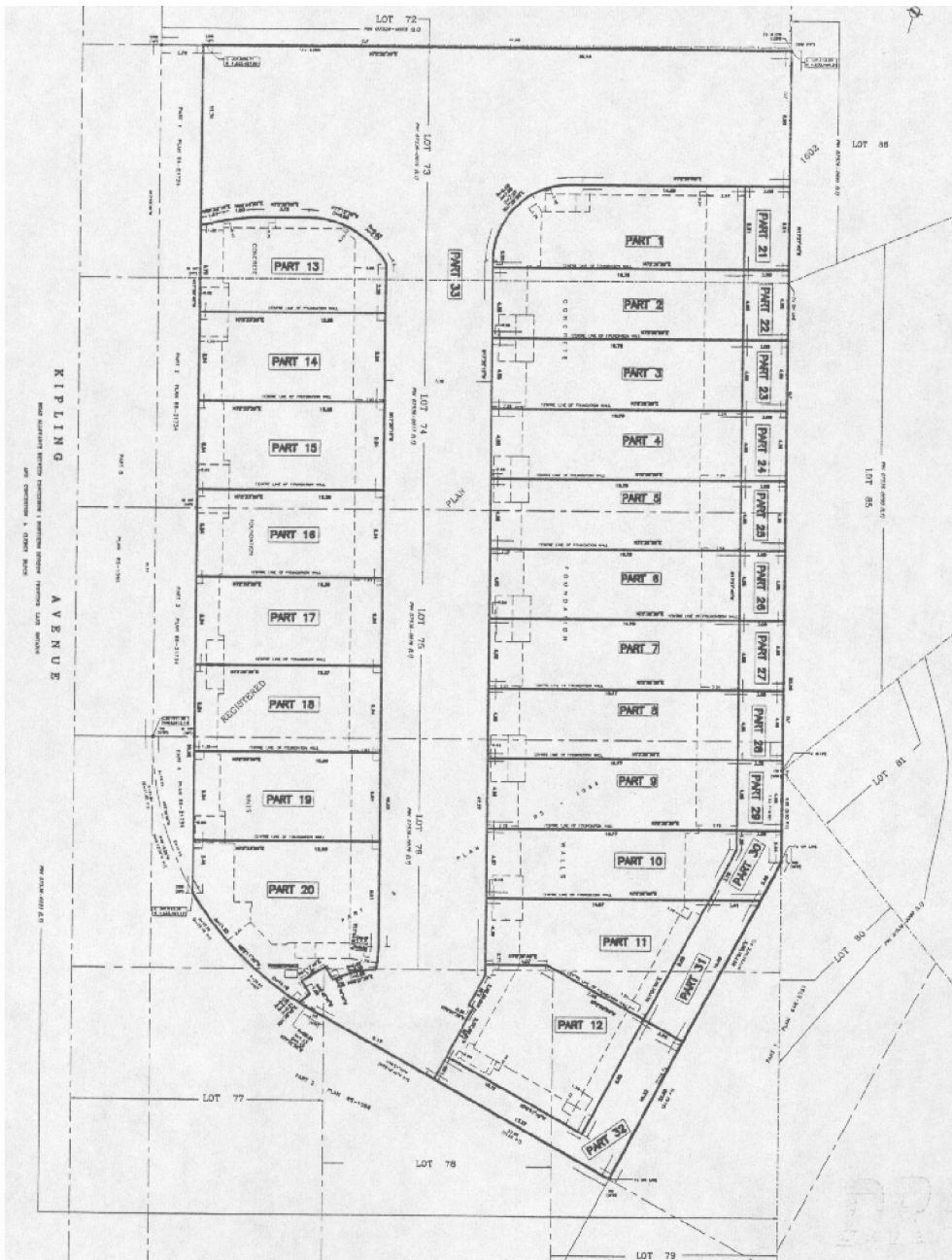
SIGNATURE

Gregg Lintern, MCIP RPP
Director, Community Planning, Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Application Data Sheet

Attachment 1: Site Plan



Site Plan

977 - 981 Kipling Avenue

Applicants Submitted Drawing

Not to Scale
01/12/07



File # 05_210670

**Attachment 2: Application Data Sheet
APPLICATION DATA SHEET**

Application Type	Part Lot Control Exemption	Application Number:	05 210670 WET 05 PL
Details		Application Date:	December 19, 2005
Municipal Address:	977, 979 and 981 KIPLING AVE, TORONTO ON		
Location Description:	PL 1602 LT75 **GRID W0502		
Project Description:	Request for exemption from Part Lot Control to create separate parcels for 20 townhouse dwelling units.		

Applicant:	Agent:	Architect:	Owner:
ST. ANDREWS LANE INC. KEVIN BROWN			ST. ANDREWS LANE INC. KEVIN BROWN

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R4G (By-law No. 2-2006(OMB))	Historical Status:	
Height Limit (m):	12.8 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	2,729.92	Height:	Storeys:	3.5
Frontage (m):	57.15		Metres:	12.8
Depth (m):	39.14			
Total Ground Floor Area (sq. m):		3,339.66		Total
Total Residential GFA (sq. m):	0		Parking Spaces:	36
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):			3,339.66	
Lot Coverage Ratio (%):			1.23	
Floor Space Index:			1.23	

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3,339.66	0
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:	20	Institutional/Other GFA (sq. m):	0	0
Total Units:	20			

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