

Part Lot Control Application 2 Triburnham Place

Date:	December 22, 2006
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 3 - Etobicoke Centre
Reference Number:	File No: 06 132321 WET 03 PLC

SUMMARY

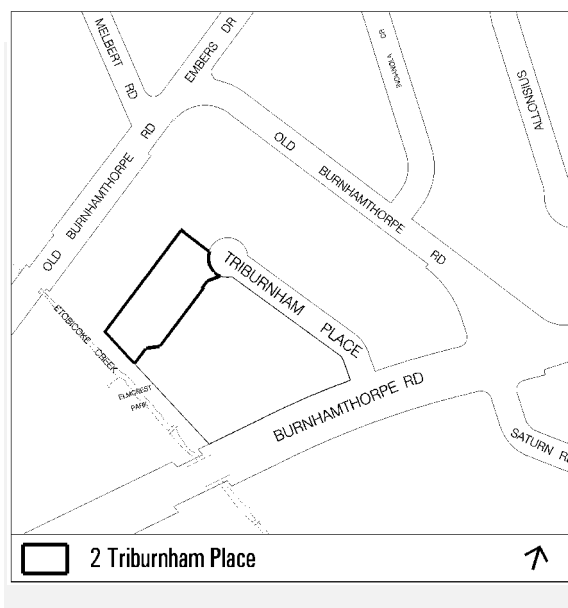
To consider a re-application for approval to lift Part Lot Control for a portion of a development containing 13 townhouses units, thereby allowing the creation of separate lots, as the time limit has expired on the last approval.

The lifting of Part Lot Control for a period of one year is considered appropriate for the orderly development of the lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council require 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 one year after it has been enacted;
2. City Council authorize the City Solicitor to introduce the necessary Bill after the owner of the subject lands has registered a Section 118 Restriction under the Land Titles Act, agreeing not to transfer or charge any part of the said 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 require that the easements on the survey include provisions which prohibit owners from interfering with drainage facilities and the swale, and erecting buildings and structures on the easement lands; and
5. City Council require that prior to the introduction of the necessary Bill, all tax arrears and current taxes owing be paid in full.

FINANCIAL IMPACT

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

DECISION HISTORY

The site was subject to a rezoning application that was adopted by Council and appealed to the Ontario Municipal Board by the applicant. The Board allowed the appeal and the Board Order was issued on July 18, 2002. Site Plan Approval was granted on June 14, 2004.

The site received Part Lot Control exemption by City Council on July 6, 2004 with a one year expiration time frame. The approval lapsed on July 6, 2005. The owner submitted a new Part Lot Control application on May 5, 2006. The applicant also has applied for draft plan of condominium.

ISSUE BACKGROUND

The subject site is located at the west side of Triburnham Place, north of Burnhamthorpe Road and is currently part of a larger site with a 10-storey rental apartment building located thereon. The applicant is proposing to build 13 townhouse units as a common elements condominium on the 0.39 hectare portion of the site. The units are under construction.

Section 50(7) of the Planning Act, RSO 1990, authorizes Council to adopt a by-law exempting lands within a plan of subdivision from Part Lot Control. Part Lot Control is an effective means of subdividing land and for conveying easements.

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate parcels for the 13 townhouses. A number of conditions will be required as part of the Draft Plan of Condominium approval.

COMMENTS

The proposal complies with the Official Plan designation and Zoning Code. A full review by staff was conducted as part of the Official Plan and rezoning, and site plan control approval processes, and all conditions of approval with respect to the development have been secured by

various agreements. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development.

In order 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 one year after being enacted. This will provide sufficient time for the completion of the project.

The application was circulated to various Divisions and Agencies for comment. Development Engineering require the easements registered on Parts 19-28 to include provisions which prohibit owners from: interfering with the drainage facilities and swale, and erecting buildings and structures on the easement lands. Parks, Forestry and Recreation require the owner to be responsible for the installation of the fence, drainage structure and landscaping, as it is adjacent to Elmcrest Park. This was secured at Site Plan Approval stage. There are no requirements from the Toronto Region Conservation Authority. No other comments have been received.

CONTACT

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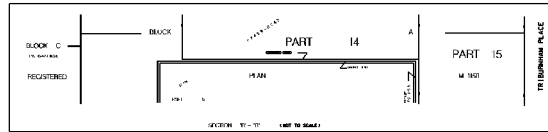
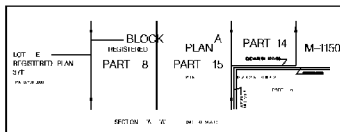
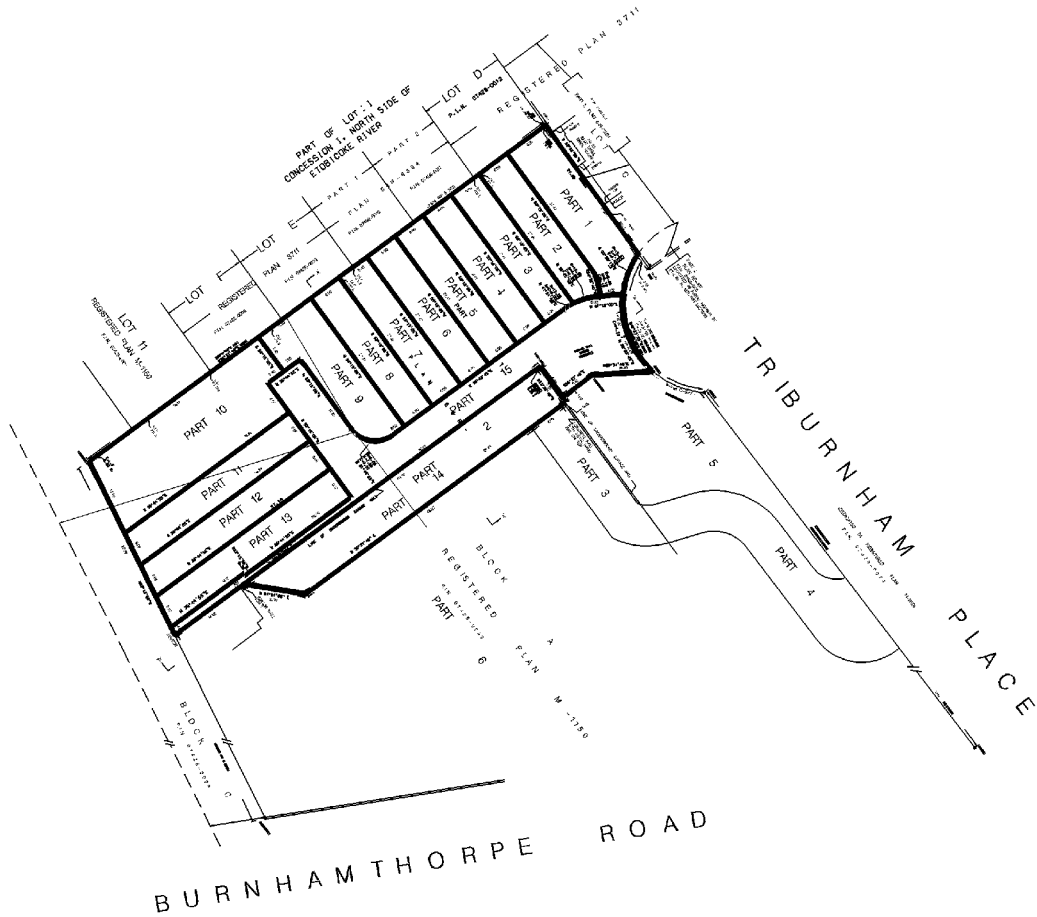
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Data Application Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

2 Triburnham Place

File # TA PLC 2003 0003



Not to Scale
05/29/03

Attachment 1

Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Application Type Details	Part Lot Control Exemption	Application Number:	06 132321 WET 03 PL
		Application Date:	May 5, 2006

Municipal Address:	2 TRIBURNHAM PL, TORONTO ON
Location Description:	PL M1150 BLK A **GRID W0306
Project Description:	Re-Application for Part Lot Control Exemption, previous approval has expired. Existing Use: Existing 10-storey, 137-unit rental apartment building. Proposed Use: Part Lot Control application to create lots to accommodate 13 new townhouse units.

Applicant:	Agent:	Architect:	Owner:
LAND DEV. CONSULTANT PAUL RYCROFT			H&R DEVELOPMENTS

PLANNING CONTROLS

Official Plan Designation:	High Density Residen	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	0	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3,900	Height:	Storeys:	2	
Frontage (m):	19		Metres:	6	
Depth (m):	96.1				
Total Ground Floor Area (sq. m):	1,170				Total
Total Residential GFA (sq. m):	2,009		Parking Spaces:	31	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	2,009				
Lot Coverage Ratio (%):	30				
Floor Space Index:	0.52				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	2,009	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:	13	Institutional/Other GFA (sq. m):	0	0
Total Units:	13			

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