

115 Torbarrie Road (Plan 66M-2436 - Lots 2 to 51) - Part Lot Control Exemption Application - Final Report

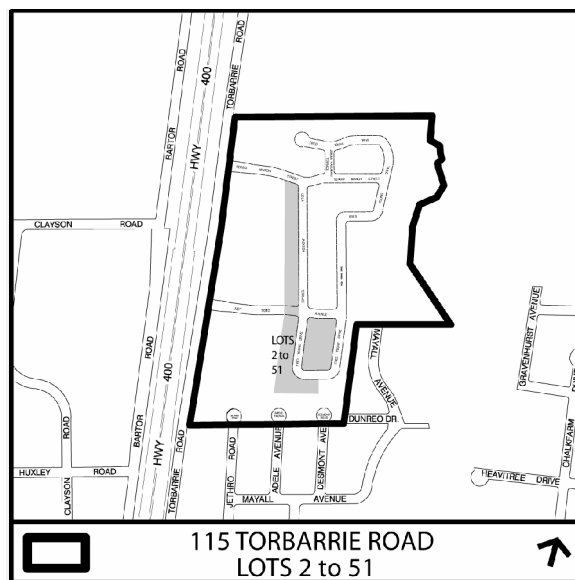
Date:	June 12, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	File No: 07 118120 WET 07 PL

SUMMARY

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This report reviews and recommends approval of an application by Ringley Construction Limited for Part Lot Control Exemption for a development consisting of 50 pairs of semi-detached dwellings (100 units), on lands municipally know as 115 Torbarrie Road. An exemption from Part Lot Control will allow each lot containing a pair of semi-detached dwelling units to be subdivided yielding one hundred individual residential lots each with a semi detached dwelling unit.

The proposal complies with the existing Official Plan and Zoning By-law amendments approved by Toronto City Council in April 2003 (OPA No. 537 and By-law No. 416-2003). The lifting of Part Lot Control for a period of one year is considered 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 one year 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 the appropriate time; and
4. City Council authorize and direct the appropriate City Officials to register the Part Lot Control Exemption By-law on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On April 14, 15 and 16, 2003, City of Toronto Council, authorized amendments to the Official Plan and Zoning By-law No. 7625 and approved a Draft Plan of Subdivision to permit the proposed residential development of the property municipally know as 115 Torbarrie Road. Bylaw No. 415-2003 adopting OPA No. 537 and Zoning By-law No. 416-2003 govern development on this site. Draft Approval of a Plan of Subdivision was issued by the Chief Planner August 8, 2003. The Plan of Subdivision was registered in the Land Registry Office on April 12, 2007 as Plan 66M-2436.

ISSUE BACKGROUND

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate lots for the 100 semi-detached dwelling units currently under construction. The units will be marketed as freehold units with frontage onto Leila Jackson Terrace and Fred Young Drive. To allow for the eventual conveyance of the individual lots, an exemption from

Part Lot Control will allow existing subdivision lots (Lots 2 to 51, inclusive) to be subdivided to a total of one hundred individual residential lots, each to contain a semi-detached dwelling unit.

Site and Surrounding Area

The property is located on the east side of Torbarrie Road, adjacent to Highway 400 and midway between Wilson Avenue and Sheppard Avenue. The site was formerly the location of the Workplace Safety Insurance Board (WSIB) rehabilitation facility. The development lots which are the subject of this application are located internal to the subdivision and fronting on to new public roads (Leila Jackson Terrace and Fred Young Drive) created by the Plan of Subdivision.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS. In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated as Neighbourhoods in the Official Plan and is subject to Site and Area Specific Policy No. 242. Townhouses are a permitted use.

Zoning

The property is zoned RM2(36) in the former City of North York Zoning By-law application. Townhouses are a permitted use.

COMMENTS

Section 50(7) of the Planning Act, R.S.O. 1990, authorizes Council to adopt a by-law exempting lands within a plan of subdivision from Part-Lot Control. The subject properties are within a registered plan of Subdivision (Lots 2-51, Registered Plan M-2346). Thus, exemption from Part Lot Control may be employed as an effective means of further subdividing the lands. 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.

Prior to the enactment of a Part Lot Exemption By-law, it is recommended that the owner 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 designate.

In order to ensure that Part Lot Control Exemption does not remain in force indefinitely, the exempting by-law should 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 and the conveyance of the lots.

The proposal complies with the amended Official Plan and Zoning By-law and was circulated to various Departments and Agencies for comment. No issues have been identified.

CONTACT

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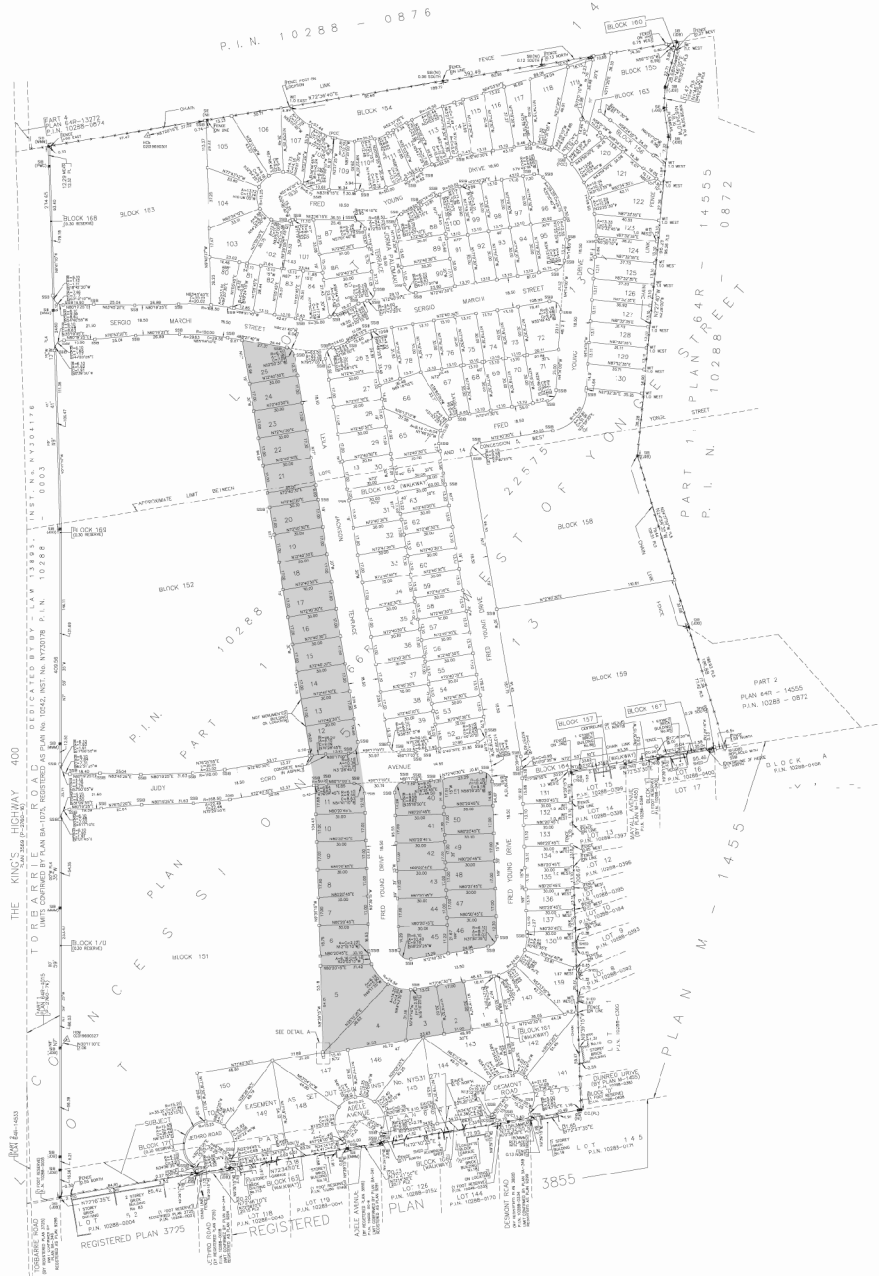
SIGNATURE

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

ATTACHMENTS

Attachment 1: Part Lot Control Plan

Attachment 1: Part Lot Control Plan



Part Lot Control

115 Torbarrie Road

Applicant's Submitted Drawing

Not to Scale
06/01/07



File # 07_118120