

**Final Report  
Part Lot Control Exemption Application  
Proponent: Sherman Brown Dryer Karol  
207 and 209 Randolph Road and 245-257 McRae Drive  
Lots 536, 537 & 538 and Part of Lot 539, R.P. 2120**

<b>Date:</b>	August 15, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward No. 26 - Don Valley West
<b>Reference Number:</b>	Part Lot Control Exemption Application No. 07 114120 NNY 26 PL

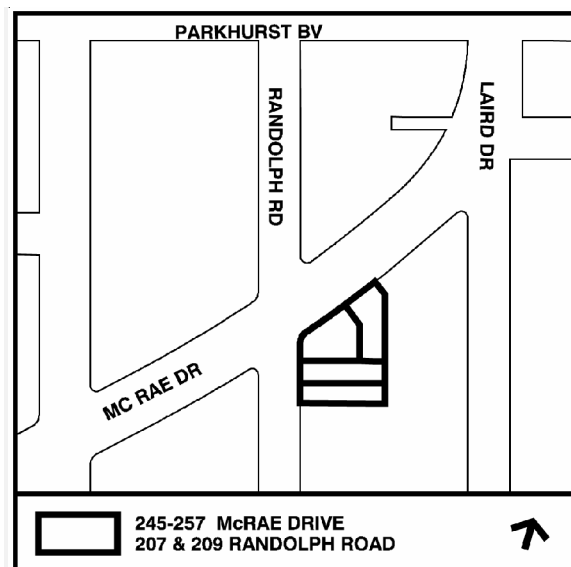
## **SUMMARY**

An application has been submitted to exempt the site from Part Lot Control, thereby enabling separate conveyances for 12 properties (10 townhouses units and two semi-detached units) as freehold units and in order to create a common elements roadway.

## **RECOMMENDATIONS**

**The City Planning Division recommends that City Council:**

1. enact a Part Lot Control Exemption By-law for Lots 536, 537 & 538 and Part of Lot 539 of Registered Plan 2120;
2. deem that the Part Lot Control Exemption By-law shall expire two (2) years from the date of its passing;



3. require 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. authorize the City Solicitor to make such stylistic and technical changes to the Part Lot Control Exemption By-law as may be required;
  5. authorize the City Solicitor to introduce the Part Lot Control Exemption By-law after the required sideyard setback variances to the zoning By-law for Units 1 and 12 are final and binding;
  6. authorize the City Solicitor to introduce the Part Lot Control Exemption By-law in Council 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 Director of Community Planning, North York District; and
  7. 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.
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## **ISSUE BACKGROUND**

### **Proposal**

The construction of 10 townhouses and two semi-detached units on the subject lands is nearing completion. The applicant is seeking exemption from Part Lot Control in order to create separate parcels for each of the dwellings and to create a common elements roadway.

### **Site History**

At its meeting on June 24, 25 and 26, 2003 Council amended the former East York Official Plan to redesignate the properties in the subject site fronting on McRae Drive from Main Streets Commercial Residential to Low Density Residential and to amend former East York Zoning By-law No. 1916 to rezone the subject lands from the Commercial C1 Zone (properties fronting on McRae Drive) and Residential R1A Zone (properties fronting on Randolph Road) to Residential Site Specific R2B.3 Zone. The Official Plan and Zoning By-law amendments were subsequently upheld by the Ontario Municipal Board, approving the 10 street edge townhouses and two semi-detached dwellings fronting onto an internal driveway.

Site Plan Approval was granted for the proposal and a Site Plan Agreement was finalized and executed on March 26, 2006. A Plan of Condominium application for a common elements condominium has been submitted and is currently under review.

## **Site and Surrounding Area**

The 0.18 hectare (0.46 acre) site is located on the southeast corner of Randolph Road and McRae Drive, west of Laird Drive with a frontage of approximately 70 metres on both streets. There is a one storey commercial building to the east, one and two storey homes on Randolph Road to the south, the former Leaside municipal building (currently used as a school) and a fire hall to the west and four to five storey apartments on the other side of McRae Drive to the north.

## **Official Plan**

The City of Toronto Official Plan designates the former properties on Randolph Road as 'Neighbourhoods' and the properties with frontage on McRae Drive as 'Mixed Use Areas'. The Neighbourhoods designation allows for the development of residential uses within lower scale buildings. Parks, low scale institutional uses, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also permitted. 'Mixed Use Areas' are intended to be developed for high quality commercial, residential, institutional and open space uses.

## **Zoning**

The lands in question have been rezoned to a site specific R2B.3 Zone. This zoning recognizes the built form and use of the approved townhouse development, with the exception of a construction error which has resulted in two variances of 0.05 metres and 0.06 metres for the side yard setbacks of units 1 and 12 respectively. An application for the variances has been filed and will be heard at the October 24<sup>th</sup> meeting of the North York panel of the Committee of Adjustment.

The variances if approved will allow a south sideyard setback of 0.85 metres, whereas 0.9 metres is required for Unit 1. Unit 12 requires an east sideyard setback of 0.94 metres whereas 1.0 metres is permitted. The Part Lot Control Exemption By-law should not be forwarded to Council for consideration until the required variances are final and binding.

## **Site Plan Control**

Site Plan Approval was granted for the proposal.

## **COMMENTS**

Section 50(7) of the Planning Act, R.S.O. 1990, authorizes Council to adopt a By-law exempting lands within a registered plan of subdivision from Part Lot Control. Passing a Part Lot Control Exemption By-law will allow the owner to proceed with the conveyance of the 12 dwelling units by a series of reference plans which conform to the part walls and roof structures of each unit as constructed. Lifting of Part Lot Control will also enable the owner to register easements for maintenance purposes.

## **CONCLUSION**

The exemption from Part Lot Control on the subject lands will facilitate the implementation of easements allowing the development to proceed as endorsed by City Council and the Ontario Municipal Board. As well, the proposed by-law would enable the final development and sale of the new homes in a manner that complies with the Official Plan and Zoning By-law.

## **CONTACT**

Dan Nicholson, Planner  
Ph: (416) 395-7110  
Fax: (416) 395-7177  
Email:dnichol2@toronto.ca

## **SIGNATURE**

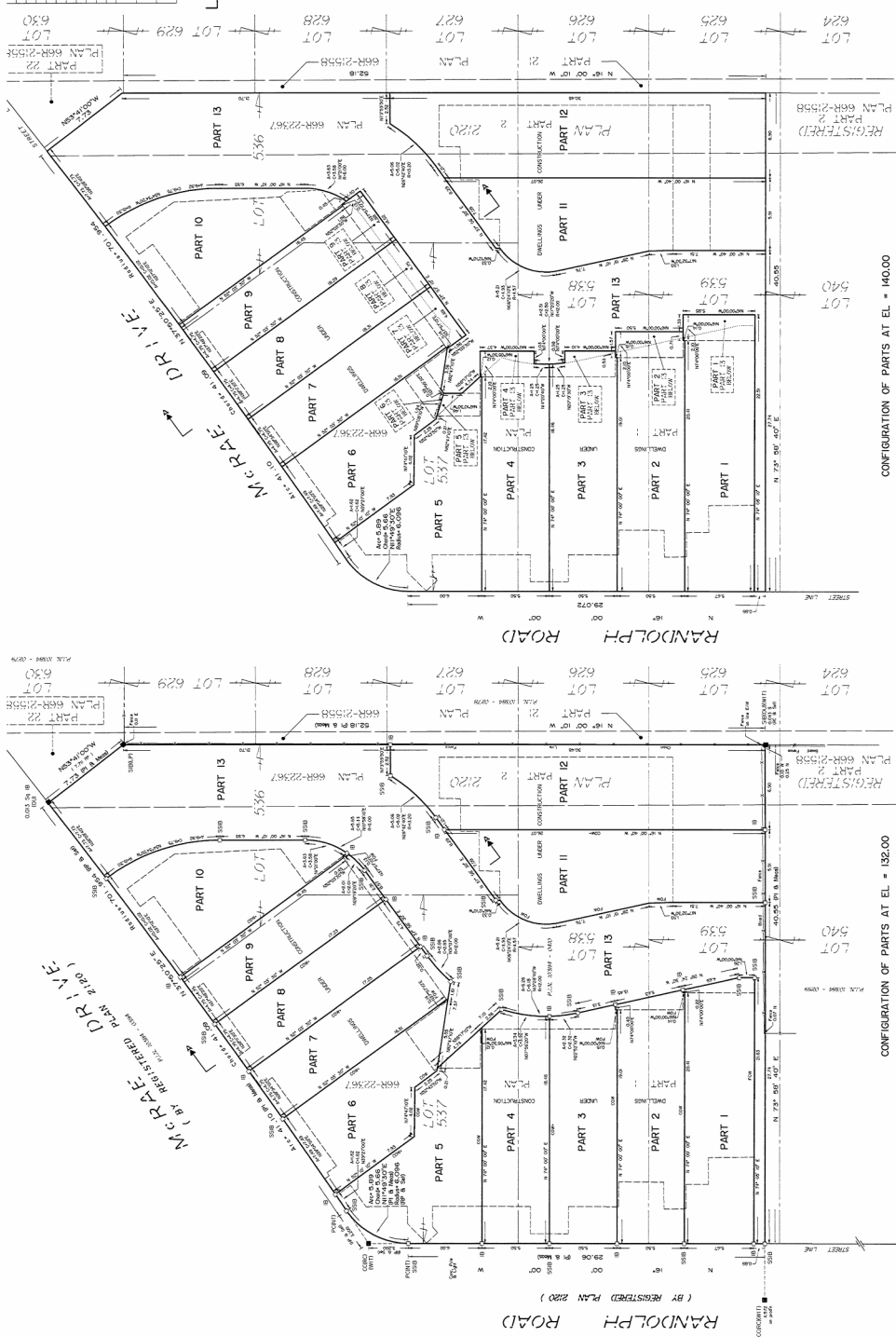
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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Draft Registered Plan of Subdivision  
Attachment 2 : Application Data Sheet

# Attachment 1: Draft Registered Plan of Subdivision



245 - 257 McRae Drive and  
207 & 209 Randolph Road  
File # 07\_119120\_NNY\_26\_PL

Part Lot Control  
Applicant's Submitted Drawing  
Not to Scale  
08/08/2007

## Attachment 2: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Part Lot Control	Application Number:	07 114120 NNY 26 PL
Details		Application Date:	March 7, 2007
Municipal Address:	207 & 209 RANDOLPH RD and 245-257 MCRAE DRIVE Toronto ON		
Location Description:	PL 2120 PT LT538 PT LT539 **GRID N2603		
Project Description:	Construct 10 townhouse units and 2 semi-detached units.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BROWN, DRYER, KAROL - ATTN: SUSAN ROSALES ADAM BROWN			1402254 ONTARIO LTD

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas and Neighbourhoods	Site Specific Provision:	R2B.3
Zoning:	Residential Site Specific R2B.3 Zone	Historical Status:	
Height Limit (m):	12.2 metres	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1871.56	Height:	Storeys:	3
Frontage (m):	69.6		Metres:	12.2
Depth (m):	0			
Total Ground Floor Area (sq. m):	1005.8			Total
Total Residential GFA (sq. m):	2756.48		Parking Spaces:	24
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2756.48			
Lot Coverage Ratio (%):	53.74			
Floor Space Index:	1.47			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	, Freehold		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	2756.48	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:	12	Institutional/Other GFA (sq. m):	0	0
Total Units:	12			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Dan Nicholson, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7110</b>

