

**18 Tideswell Boulevard – Part Lot Control Application –  
Final Report**

<b>Date:</b>	January 29, 2007
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward No. 44 – Scarborough East
<b>Reference Number:</b>	File No. 06 179936 ESC 44 PL

**SUMMARY**

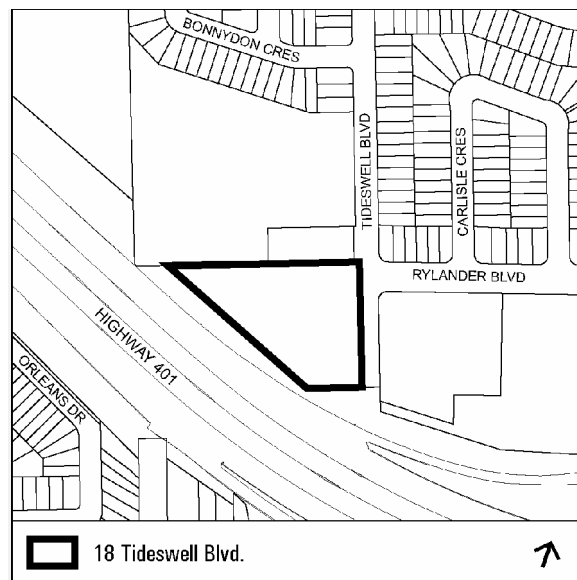
An application has been submitted to permit exemption from Part Lot Control for a development containing 43 townhouse units at 18 Tideswell Boulevard.

The issues regarding the proposed development were addressed through the approval of the Official Plan and Zoning By-law Amendment applications and the Site Plan Control application. The lifting of part lot control for a period of two years is considered appropriate for the orderly development of the lands.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject property for Block 1 of Plan 66M-2426 to be prepared to the satisfaction of the City Solicitor and to expire two (2) years from the date of its passing;
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 and Executive Director, or his designate;

3. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from title upon receipt of confirmation that the Common Elements Condominium Plan has been registered;
4. City Council authorize the owner to provide staff with proof of payment of all current property tax for the subject lands prior to the enactment of the Part Lot Control Exemption By-law; and,
5. City Council authorize the City Solicitor shall be authorized to make such stylistic and technical changes to the Part Lot Control Exemption By-law as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The related Official Plan Amendment, Zoning By-law Amendment and Site Plan Control Applications were considered by Council in 2004. These applications sought approval for a 43 unit residential townhouse development. The applications were appealed to the Ontario Municipal Board (OMB) by the applicant, and were settled at the December 7, 2004 OMB hearing.

The Site Plan Agreement was subsequently executed between the City and the owner, and is now registered on title.

The Owner also filed an appeal to the City's new Official Plan in order to establish the ability to develop this property for residential purposes. The appeal was settled on the basis that the amendments to the Scarborough Official Plan and Zoning By-law approved by the OMB would be recognized and provided for in the plan.

A draft plan of subdivision application was approved for the creation of one block of land, comprised of the entire land holding. The purpose of this application was to create a registered plan of subdivision in order to facilitate the future submission of both a Part Lot Control Exemption Application and a Condominium application for a Common Element condominium. The subdivision has been registered as Plan 66M-2426.

### **ISSUE BACKGROUND**

#### **Proposal**

The application seeks exemption from Part Lot Control in order to enable 43 townhouse units to be conveyed as separate ownerships and to establish maintenance easements. The separate ownerships or lots would be tied to a common elements condominium consisting of internal access driveways, visitor parking spaces, common open areas including a play area for preschoolers and walkways. A separate condominium application has been made to create the common element condominium. Refer to Attachment No. 3 for project data.

## **Site and Surrounding Area**

The subject property is situated at the southernmost terminus of Tideswell Boulevard, just north of Highway 401. The property is relatively flat and is irregular in shape, forming a triangle between its frontage on Tideswell Boulevard and its southern property line between Highway 401 and the neighbouring property to the north. The property is located south of an existing dwelling and new elementary school, and west of an existing shopping centre at Rylander Boulevard. The townhouse units are currently under construction.

## **Official Plan**

The property is designated as Neighbourhoods within the Toronto Official Plan on Maps 22 and 23 – Land Use Plan. These areas are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached house, duplexes, triplexes, townhouses as well as interspersed walk-up apartments that are no higher than four storeys.

Development within Neighbourhoods will respect and reinforce the physical patterns and character of the neighbourhood. Zoning by-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential neighbourhoods.

## **Zoning**

The subject property is zoned Multiple-Family Residential (MF). Permitted uses include correctional group homes, day nurseries, group homes, multiple-family dwellings, semi-detached dwellings, single-family dwellings and street townhouse dwellings. Private home day care is also permitted as an ancillary use.

## **COMMENTS**

The release of part lot control on the subject lands would allow for the conveyance of each townhouse and for the creation of maintenance easements deemed necessary by the applicant. In order to ensure that Part Lot Control is not lifted indefinitely, it is recommended that the exempting By-law expire two years after being enacted.

In order to ensure that the creation of the common elements condominium corporation is completed and registered, it is recommended that the owner of the subject lands register a Section 118 Restriction under the *Lands Titles Act*. This restriction requires the owner to agree not to convey or mortgage any part of the lands without prior written consent of the Chief Planner or his designate. Once confirmation is received that the Common Elements Condominium Plan has been registered, the City Solicitor will take the necessary steps to allow for the removal of the Section 118 Restriction from the title of the lands. These arrangements ensure that access to each townhouse through the development is secured before the townhouse parcels are allowed to be conveyed.

## **CONTACT**

Andrea Reaney, Senior Planner  
Tel. No. (416) 396-7023

Fax No. (416) 396-4265  
E-mail: areaney@toronto.ca

## **SIGNATURE**

---

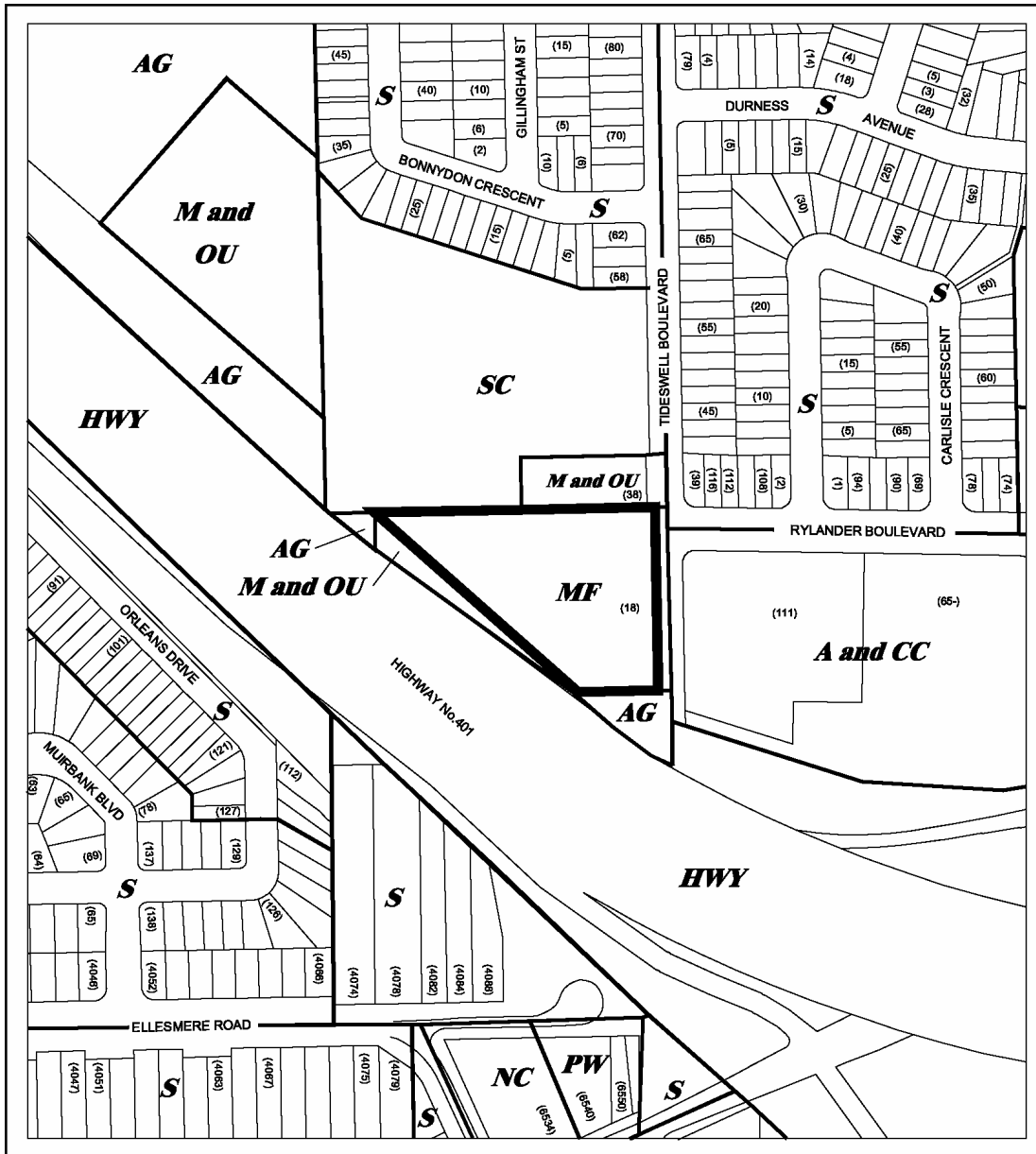
Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Zoning  
Attachment 3: Application Data Sheet



## Attachment 2: Zoning



**TORONTO** City Planning Division  
**Zoning**

18 Tideswell Boulevard  
 File # 06-179936 PL

<b>S</b> Single Family Residential	<b>NC</b> Neighbourhood Commercial	<b>SC</b> School Placel(s) Of Worship	<b>Rough Community By-law</b>
<b>MF</b> Multiple Family Residential	<b>OU</b> Office Uses	<b>PW</b> Placel(s) Of Worship	<b>Not to Scale</b>
<b>A</b> Apartment Residential	<b>AG</b> Agricultural Uses	<b>M</b> Industrial Uses	<b>10/11/06</b>
<b>CC</b> Community Commercial	<b>HWY</b> Highway		



### Attachment 3: Application Data Sheet

## APPLICATION DATA SHEET

Application Type: Part Lot Control Exemption      Application Number: 06 179936 ESC 44 PL  
Details:      Application Date: September 28, 2006

Municipal Address: 18 TIDESWELL BLVD, TORONTO ON  
Location Description: PLAN 66M2426 BLK 1 \*\*GRID E4402  
Project Description: PART LOT CONTROL EXEMPTION FOR COMMON ELEMENTS  
RESIDENTIAL TOWNHOUSE CONDO (see related file 06 179801 ESC 44 CD).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SUNDANCE TIDESWELL DEV			SUNDANCE TIDESWELL DEV

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	Multiple Family Residential (MF)	Historical Status:
Height Limit (m):	0	Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	12869.85	Height:	Storeys:	3
Frontage (m):	0		Metres:	13.6
Depth (m):	0			
Total Ground Floor Area (sq. m):	3115.1			<b>Total</b>
Total Residential GFA (sq. m):	6265.7	Parking Spaces:		99
Total Non-Residential GFA (sq. m):	0	Loading Docks		0
Total GFA (sq. m):	6265.7			
Lot Coverage Ratio (%):	24.2			
Floor Space Index:	0.49			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo -		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	6265.7	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:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	43			

**CONTACT:**      **PLANNER NAME:**      **Andrea Reaney, Planner**  
**TELEPHONE:**      **(416) 396-7023**