

**296 Palmerston Avenue
Part Lot Control Application – Final Report**

Date:	May 31, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19- Trinity-Spadina
Reference Number:	File No. 06 182598 STE 19 PL

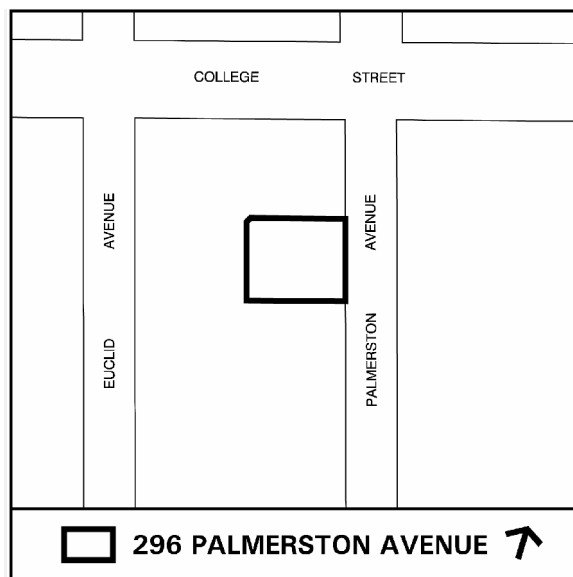
SUMMARY

This report reviews and recommends approval of an application by Europa Residences to lift Part Lot Control, in order to permit the division of the subject lands into five parcels to facilitate the development of five freehold townhouses.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the application for Part Lot Control and that a Part Lot Control Exemption By-law, with respect to the subject lands, be prepared to the satisfaction of the City Solicitor;
2. City Council authorize the City Solicitor to introduce the necessary Bills in Council for a Part Lot Control Exemption By-law to expire (1) year from the date of enactment;
3. City Council require the owner to provide proof of payment to the satisfaction of the City Solicitor that



all current property taxes are paid in full for the subject site prior to enactment of the Part Lot Control Exemption By-law; and

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 September 21, 2005, the Toronto and East York Panel of the Committee of Adjustment approved minor variance applications to permit the development of five townhouses on the subject lands. The proposal is exempt from the site plan approval process.

ISSUE BACKGROUND

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate parcels for the 5 townhouse units being proposed. The units will be marketed as freehold units with frontage onto Palmerston Avenue. To allow for the eventual conveyance of the individual lots, an exemption from Part Lot Control will allow the site to be subdivided into five individual residential lots. While the proposal is not subject to site plan approval, Technical Services staff have reviewed the proposal for site servicing, and find it acceptable.

Site and Surrounding Area

The subject site, which is currently vacant, is located on the west side of Palmerston Avenue, south of College Street. The site has a lot area of 1245 square metres, a lot frontage on Palmerston Avenue of 32.3 metres, and a lot depth of 38.9 metres. A public lane borders the site on the west and north which will provide vehicular access to the garages at the rear of each unit. Immediately to the north, on the south west corner of College Street and Palmerston Avenue is the newly-completed Europa condominium. To the south and east is an established residential neighbourhood.

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.

Official Plan

The property is designated as Neighbourhoods in the Official Plan. Townhouses are permitted in Neighbourhoods.

Zoning

The site is zoned R2 Z0.6. Townhouses (*row houses*) are permitted, but minor variances were required for the proposed building depth, and density.

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 lands subject to this application are lots 73, 74, and 75 within the registered plan of subdivision 314. Thus, exemption from Part Lot Control may be employed as an effective means of subdividing the lands.

The applicant would like to proceed with the subject application. As such, Planning staff recommend the Part Lot Control Exemption By-law for the lands be brought forward for Council adoption.

In order to ensure that Part Lot Control does not remain open 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 Official Plan and the Zoning By-law, and has been reviewed by various City Departments. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands and will complete the development.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Plan of Survey

