

18 Rosebank Dr - Part Lot Control Application – Final Report

Date:	January 18, 2008
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 42 – Scarborough-Rouge River
Reference Number:	File No. 07 269957 ESC 42 PL

SUMMARY

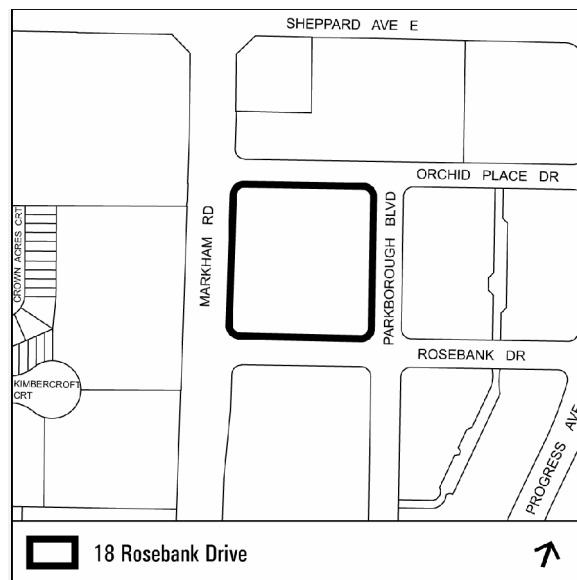
This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application has been submitted to permit exemption from part lot control for a certain portion of land known as 18 Rosebank Drive, to allow the creation of conveyable lots for the development of 9 freehold townhouses and associated easements. This application is part of a larger development site known as Block 3 with approvals for two,16-storey residential high-rise buildings and a 4-storey commercial condominium component. This report recommends that a part lot control exemption by-law be enacted for a period of one year.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a part lot control exemption by-law with respect to a portion of land on Block 3 of Registered Plan 66M-2300, as identified on the Draft Reference Plan, to be prepared to the



satisfaction of the City Solicitor and to expire one year from the date of its passing.

2. City Council require the Owner to provide staff with proof of payment of all current property taxes for the subject lands prior to the enactment of the part lot control exemption by-law.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Block 3 is a part of a larger approved plan of subdivision. The Aspen Ridge subdivision is bounded by Sheppard Avenue, Markham Road, Milner Avenue and lands just east of Progress Avenue. This 1,600 residential unit subdivision was approved by the Ontario Municipal Board in 1994. 417 of the units were allocated to Block 3.

The related rezoning application 05 208487 ESC 42 OZ and site plan control application 05 208491 ESC 42 SA sought approval to develop 2, 16-storey residential towers, having in total 408 units, a 49 unit, 4-storey commercial/office condominium building (5,900 sq m or 63,500 sq ft) along Markham Road frontage, and 9 freehold townhouses fronting onto Rosebank Drive.

The rezoning was approved by City Council resulting in By-law No. 77-2007, which amended the former City of Scarborough Malvern Community Zoning By-law 14402 with respect to the lands known as 28 Orchid Place Drive.

A site plan agreement was registered on title on August 3, 2007 as Instrument No. AT 1530692.

Two related draft plan of condominium applications are currently under review. File No. 07 266430 ESC 42 CD is for the two, 16 storey residential buildings, and File No. 07 26446 ESC 42 CD is for the commercial component, as previously approved.

ISSUE BACKGROUND

Proposal

The applicant seeks exemption from part lot control in order to enable the division of land to create conveyable lots for the development of 9 freehold townhouses, and easements across the rear of 7 of the new lots for future maintenance of a retaining wall. The 9 proposed lots are currently part of Block 3 on Registered Plan 66M-2300. The Draft Reference Plan is shown as Attachment 1.

Front door and garage access will be from Rosebank Drive and the backyards are self contained with no access to the rear.

Site and Surrounding Area

Block 3 is approximately 1.4 hectares (3.4 acres) in area, vacant, and generally square in shape with road frontages off Markham Road, Rosebank Drive, Orchid Place Drive and Parkborough Boulevard. There is a gradual slope to the east from Markham Road.

North: vacant block of land with a service station at the corner of Markham and Sheppard

South: existing street townhouses

East: existing street townhouses

West: Commercial uses (Station Street Plaza) and an 8-storey rental apartment building are located on the west side of Markham Road, directly across from Block 3.

Official Plan

The subject lands are designated Apartment Neighbourhoods in the Toronto Official Plan. Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. In addition, detached and semi-detached houses, duplexes, triplexes, townhouses and interspersed walk-up apartments and home occupations are permitted in the Apartment Neighbourhoods designation.

The larger subdivision lands are subject to site and area specific policy number 117 which addresses residential density; permission for transit stations and facilities; maximum building height; the permission for recreational and cultural facilities at the southeast corner of Sheppard Avenue East and Progress Avenue; and transportation requirements in the event that offices and ancillary commercial uses within the Mixed Use Areas are contemplated.

Zoning

The subject lands are zoned Multiple-Family Residential (MF) and Apartment (A) by the Malvern Community Zoning By-law No. 14402. The Multiple-Family Residential Zone permits correctional group homes, day nurseries, group homes, multiple-family dwellings, semi-detached dwellings, single-family dwellings and street townhouse dwellings. The Apartment Zone permits apartment buildings, day nurseries and group homes.

Site Plan Control

A site plan was previously submitted and approved for the entire Block and a site plan agreement was registered on title on August 3, 2007 as Instrument No. AT 1530692. This Part Lot Control application conforms with the approved site plan.

Reasons for Application

Block 3 of Registered Plan 66M-2300 is bounded by Markham Road, Orchid Place, Parkborough Boulevard and Rosebank Drive, and is part of a larger subdivision. A Part Lot Control application is required in order to facilitate the creation of 9 separate lots within Block 3 to develop freehold street townhouses as shown on the approved site plan.

Agency Circulation

The application was circulated to all appropriate City divisions. No issues were identified as a result of the circulation.

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. The release of part lot control would allow for the creation of each lot. In order to ensure that part lot control is not lifted indefinitely, it is recommended that the exempting by-law expire one year after being enacted.

The lifting of part lot control on the subject lands and the proposed by-law will enable the sale of the freehold townhouse units in a manner that fully complies with the Official Plan, zoning, and is considered appropriate for the orderly development of the lands.

CONTACT

Sai-Man Lam, Planner
Tel. No. (416) 396-4203
Fax No. (416) 396-4265
E-mail: slam@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

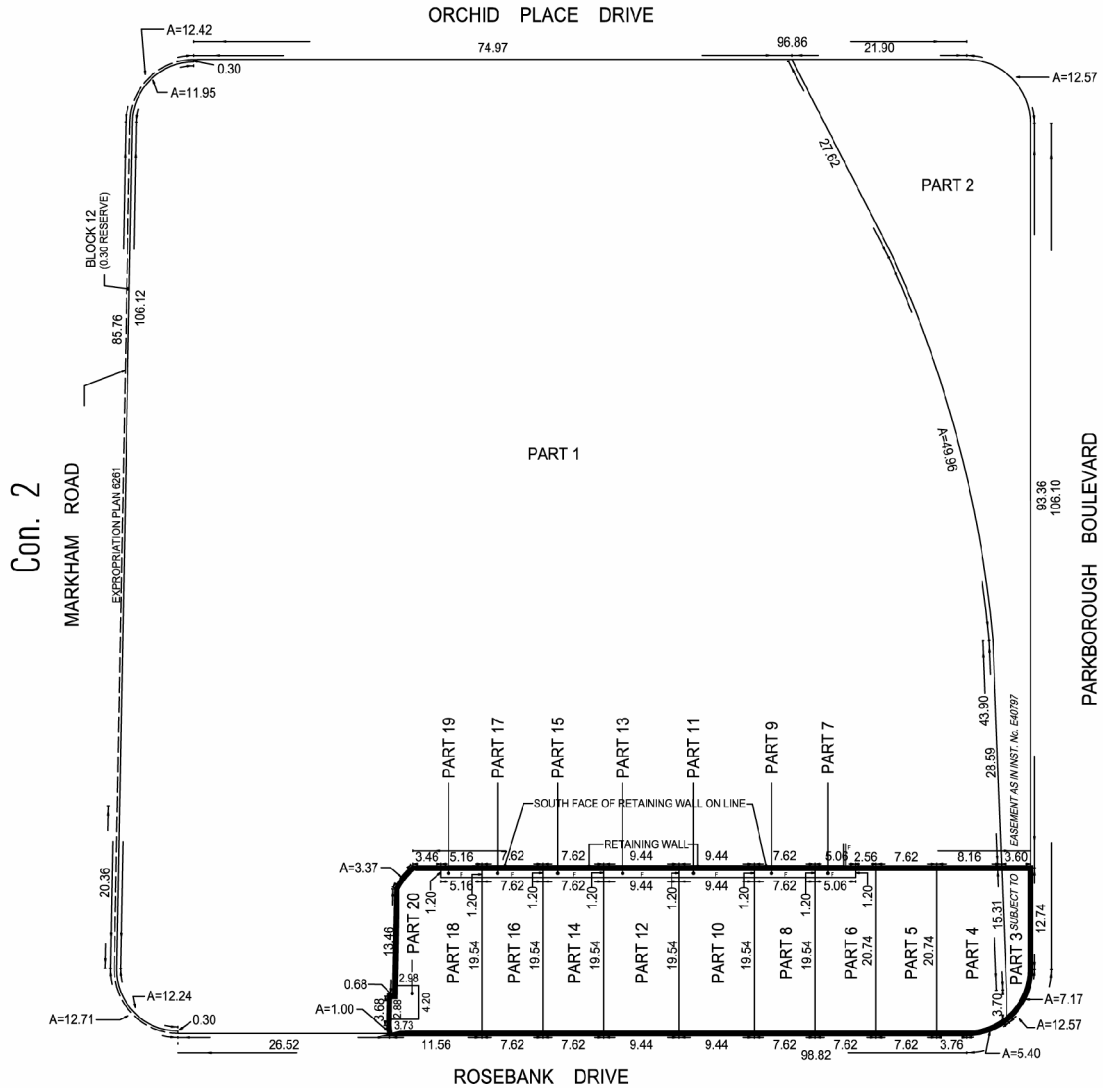
ATTACHMENTS

Attachment 1: Draft Reference Plan
Attachment 2: Application Data Sheet

Attachment 1: Draft Reference Plan

Schedule '1'

Lot 18



Part Lot Control Exemption

18 Rosebank Drive

File # 07 269957 PL

 Area Affected By This By-Law

Malvern Community By-law
Not to Scale
1/10/08

Attachment 2: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Number:	07 269957 ESC 42 PL
Details		Application Date:	October 15, 2007
Municipal Address:	18 ROSEBANK DR		
Location Description:	PL 66M2300 BLK 3 **GRID E4211		
Project Description:	Application to permit exemption from part lot control for a certain portion of land known as 18 Rosebank Drive, to allow the creation of conveyable lots for the development of 9 freehold townhouses. This application is part of a larger development block with approved high-rise residential condos and a commercial condo component. Previously approved rezoning (file no. 05-20848 ESC 42 OZ) and site plan (file no. 05-208491 ESC 42 SA) and two related current draft plans of condominium files under review (file nos. 07 266446 ESC 42 CD, and 07 266430 ESC 42 CD).		

Applicant:	Agent:	Architect:	Owner:
JD BARNES LTD			V H L DEVELOPMENTS (MARKHAM PLACE) INC.

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	Numbered Policy 117
Zoning:	MF (Multiple Family Residential) & A(Apartment Residential)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1597	Height:	Storeys:	2
Frontage (m):	80.3		Metres:	N/A
Depth (m):	20.74			
Total Ground Floor Area (sq. m):	783			Total
Total Residential GFA (sq. m):	1541		Parking Spaces:	9
Total Non-Residential GFA (sq. m):	0		Loading Docks	N/A
Total GFA (sq. m):	1541			
Lot Coverage Ratio (%):	49			
Floor Space Index:	0.96			

DWELLING UNITS

Tenure Type:	Free hold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	9
Total Units:	9

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	1541	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Sai-Man Lam, Planner , telephone (416) 396-4203