

177 to 185 Boardwalk Drive – Part Lot Control – Final Report

Date:	August 12, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	08-187742 STE 32 PL

SUMMARY

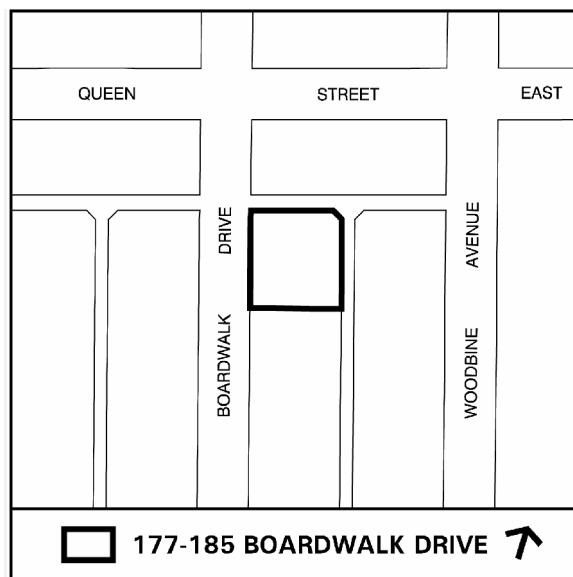
This application was made on or after January 1, 2007, and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

An application has been submitted to permit exemption from part lot control for the properties at 177, 179, 181, 183 and 185 Boardwalk Drive, to allow the development of 2 pairs of semi-detached houses and 1 detached house. 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 the subject property for Block 139 of Plan 66M-2311 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

The developer of the Woodbine Park Subdivision has requested an extension of the Part Lot Control exemption by-law 209-2006. As the by-law expired on April 27, 2007, the applicant was required to make a new request for exemption.

Development within the Woodbine Park Subdivision was approved in 1996, including the houses under construction on the lands subject to this application. In accordance with the applicable zoning, the block will be subdivided into parcels containing one dwelling each.

Part Lot Control typically prevents the conveyance of anything less than a full lot or block on a plan of subdivision. The purpose of proceeding by way of a Part Lot Control Exemption By-law is to allow the builder to build the townhouses on large blocks and then establish the property lines between the townhouse units at the exact location of the built party walls between the units for the purpose of conveying the units.

ISSUE BACKGROUND

Proposal

The lots front onto Boardwalk Drive and have vehicular access by means of a public lane at the rear of the properties.

The application seeks exemption from part lot control in order to enable the division of land to create parcels conveyable as separate ownerships for 2 pairs of semi-detached houses and one detached house.

Site and Surrounding Area

The property is located within the Woodbine Park development. Specifically, it is located on the east side of Boardwalk Drive, south of Queen Street East. Construction of the approved houses has commenced. The remainder of the development has been built with a mix of detached, semi-detached, row house, low rise residential and Mixed-Use buildings.

Official Plan

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

Zoning

The lands are subject to Site Specific By-law 1996-0279, as amended, and permits the proposed houses that are subject to this application.

COMMENTS

Section 50(7) of the Planning Act 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 conveyance of each residential unit. 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 subject residential units in a manner that fully complies with the Official Plan and zoning by-law, and is considered appropriate for the orderly development of the lands.

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SIGNATURE

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