

**651 Warden Avenue – Extension of By-law 1290-2008  
Exempting the Lands from Part Lot Control – Final  
Report**

<b>Date:</b>	November 18, 2009
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 35 – Scarborough Southwest
<b>Reference Number:</b>	08 205323 ESC 35 PL

**SUMMARY**

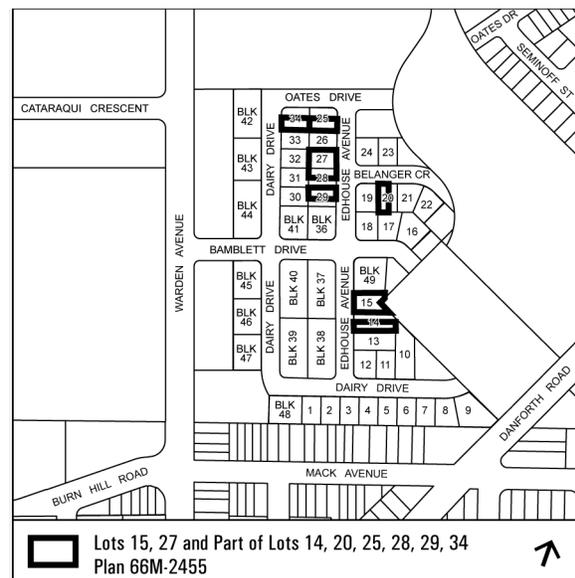
This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This report recommends that By-law No. 1290-2008 be extended for an additional one year period to allow the unsold lots formerly known as 651 Warden Avenue to be exempt from Part Lot Control thus allowing additional time for the sale and conveyance of the unsold lots to individual purchasers.

**RECOMMENDATIONS**

The City Solicitor, in consultation with the Director of Community Planning, Scarborough District, recommends that:

1. City Council enact a By-law to extend the term of By-law No. 1290-2008 to allow the unsold lots formally known as 651 Warden Avenue to be exempt from Part Lot Control for an additional one year period substantially in accordance with the draft By-law included as Attachment No. 2 to this report.



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning By-law as may be required.
3. City Council authorize and direct the appropriate City Officials to register the By-law on title.

## **FINANCIAL IMPACT**

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The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

On December 3, 2008, City Council adopted By-law No. 1290-2008, to permit the exemption from part lot control for 651 Warden Avenue for one year (File No. 08 205323 ESC 35 PL). The By-law was registered on December 17, 2008, and will expire on December 3, 2009.

## **ISSUE BACKGROUND**

### **Proposal**

In 2008, the applicant requested exemption from part lot control in order to enable the division of land to create parcels conveyable as separate ownerships for 68 semi-detached homes and 84 townhouses.

Ten of these units have not been sold or conveyed during the one year stipulation of By-law No. 1290-2008 as approved by Council on December 3, 2008.

To allow for the conveyance of the remaining lots, an extension of the exemption from part lot control is required for those lots (See Attachment 1 –Part Lot Control Plan). This will allow the remaining lots to be sold and subdivided from the existing property.

## **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 subject properties are within a registered plan of subdivision and exemption from part lot control may be employed as an effective means to allow for further subdividing the lands. The lifting of part lot control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development.

In order to ensure that part lot control was not lifted indefinitely, By-law No. 1290-2008 was to expire on December 3, 2009, one year from the date of its enactment. The applicant has advised that ten dwelling units remain unsold and are unlikely to be sold prior to the expiration of the By-law. Thus, the applicant has requested that By-law No. 1290-2008 be extended for an additional one year period to allow sufficient time for the remaining dwelling units to be sold, closed and conveyed to the individual purchasers.

Planning Staff have reviewed this request and have no objection. The exemption extension will allow this development project to be completed and sold as intended.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor

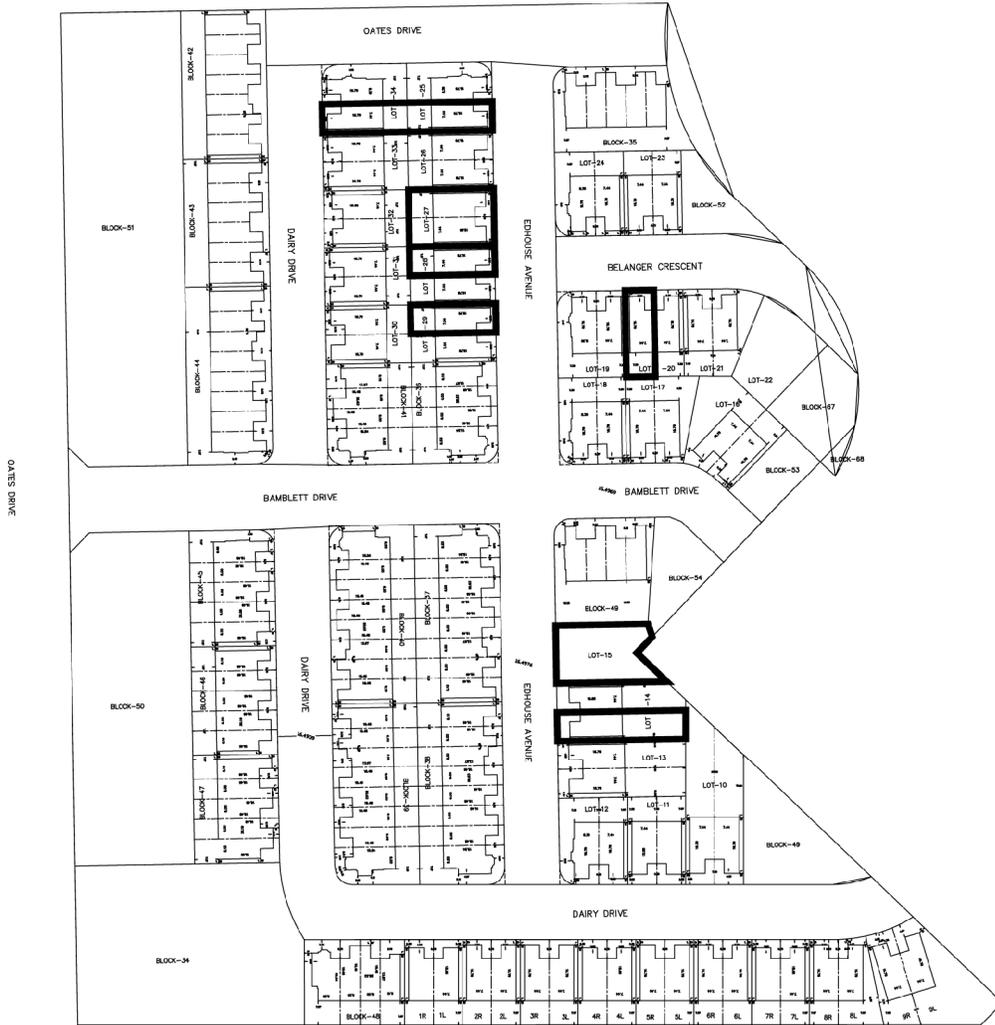
## **ATTACHMENTS**

Attachment 1: Part Lot Control Plan  
Attachment 2: Draft Zoning By-law

**Attachment 1: Part Lot Control Plan**

# Lot 32

Con. B



## Part Lot Control Exemption

651 Warden Avenue  
 Lots 15, 27 and Part of Lots 14, 20, 25, 28, 29, 34, R.P. 66M-2455  
 File # 08 205323 PL

 Area Affected By This By-Law

Warden Woods Community By-law  
 Not to Scale  
 12/18/09



### Attachment 2: Draft Zoning By-law

**CITY OF TORONTO**

**Bill No.~**

**BY-LAW No. ~-2009**

To amend City of Toronto By-law Number 1290-2008 being a By-law to exempt lands municipally known as 651 Warden Avenue from Part Lot Control.

WHEREAS authority is given to Council by subsection 50(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law, and

WHEREAS Council on December 3, 2008 passed By-Law No. 1290-2008 to exempt lands municipally known as 651 Warden Avenue from Part Lot Control for a period of one year from the date of its passing; and

WHEREAS authority is given to Council by subsection 50(7.4) of the *Planning Act*, R.S.O. 1990, c.P 13, as amended, to extend the time period specified for the expiration of the by-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. That Section 2 of the City of Toronto of City of Toronto By-law No. 1290-2008 is deleted and the following is substituted for it:

This By-law expires two years from the date of its enactment by Council.

2. That Schedule A of the City of Toronto By-law No. 1290-2008 is deleted and shall be substituted by the attached Schedule A:

ENACTED AND PASSED this ~ day of ~, A.D. 2009.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**Schedule "A"**

**Legal Description:**

In the City of Toronto (formerly the City of Scarborough) and Province of Ontario, in the Land Titles Division of the Toronto Registry Office (No. 66) being composed of;

Lot/Block	Plan	PART(S)	R-Plan
Pt Lot 14	66M-2455	9	66R-24055
Pt Lot 15	66M-2455	1	66R-24140
Pt Lot 15	66M-2455	2	66R-24140
Pt Lot 20	66M-2455	23	66R-24055
Pt Lot 25	66M-2455	2	66R-24060
Pt Lot 27	66M-2455	5	66R-24060
Pt Lot 27	66M-2455	6	66R-24060
Pt Lot 28	66M-2455	7	66R-24060
Pt Lot 29	66M-2455	9	66R-24060
Pt Lot 34	66M-2455	27	66R-24060