

**347 Royal York Road – Extension of By-law No. 111-2008
Exempting the Lands from Part Lot Control – Final
Report**

Date:	December 15, 2008
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	07 269008 WET 06 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.

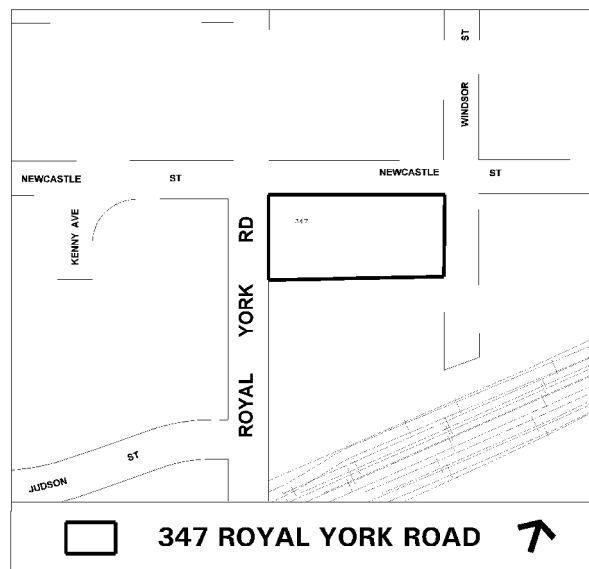
This report recommends that By-law No. 111-2008 be extended for an additional one year period to allow the unsold lots formerly known as 347 Royal York Road to be exempt from Part Lot Control thus allowing additional time for the sale and conveyance of the unsold lots to individual purchasers.

This report reviews and recommends approval of the request.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a By-law to extend the term of By-law No. 111-2008 to allow the unsold lots formally known as 347 Royal York Road (Registered Plan 1015, designated as Parts 1, 3, 6, 7, 9 &



- 10, 11, 17, 20, 49, 26 & 34 & 37, 24 & 32 & 39, 23 & 31 & 40 on Reference Plan 66R-23489) to be exempt from Part Lot Control for an additional one year period substantially in accordance with the draft By-law included as Attachment 2 of this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft 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

The recommendations in this report have no financial impact.

DECISION HISTORY

An application to amend the Etobicoke Zoning Code to permit townhouse units was approved at the July 19, 20, 21 and 26, 2005 meeting of City Council. The associated site plan was approved through delegated authority on September 25, 2007 and the required land division for municipal roadway dedication and servicing easements was addressed through the Committee of Adjustment on December 15, 2005 and February 22, 2007 respectively.

The project has been constructed and is compliant with those approvals.

On December 11, 12, and 13, 2007, City Council adopted By-law No. 111-2008 to exempt the lands municipally known as 347 Royal York Road (Parts 1-12 of Registered Plan 1015, designated as Parts 1-42 inclusive on Reference Plan 66R-23489) from Part Lot Control for a one year period. The By-law was enacted on January 30, 2008 and will expire January 30, 2009.

ISSUE BACKGROUND

Proposal

The applicant originally requested exemption from Part Lot Control in order to create separate lots for the 37 freehold townhouse units. The units are arranged in 4 blocks with 10 units located along the Windsor Street frontage, 9 units along the frontages of Royal York Road and Newcastle Street, and nine units fronting onto a new public lane identified as Royal Windsor Mews.

Eleven Townhouse units have remained unsold and unconveyed during the one year stipulation of By-law No. 111-2008 as approved by Council on January 30, 2008.

To allow for the conveyance of the remaining lots, an extension of the exemption from Part Lot Control is required which will allow the unsold lots (designated as Parts 1, 3, 6, 7, 9 & 10, 11, 17, 20, 49, 26 & 34 & 37, 24 & 32 & 39, 23 & 31 & 40 of Plan 66R-23489) to be sold and subdivided from the existing property (347 Royal York Road).

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 subject properties are within a registered plan of Subdivision 1015. Thus, exemption from Part Lot Control may be employed as an effective means of 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 did not remain indefinitely, By-law No. 111-2008 is to expire on January 30, 2009, one year from the date of its enactment. The applicant has advised that 11 townhouse 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. 111-2008 be extended for an additional one year period to allow sufficient time for the dwelling units to be sold, closed and conveyed to the individual purchasers.

Staff has no objection to the request as the project is proceeding in an orderly manner.

CONTACT

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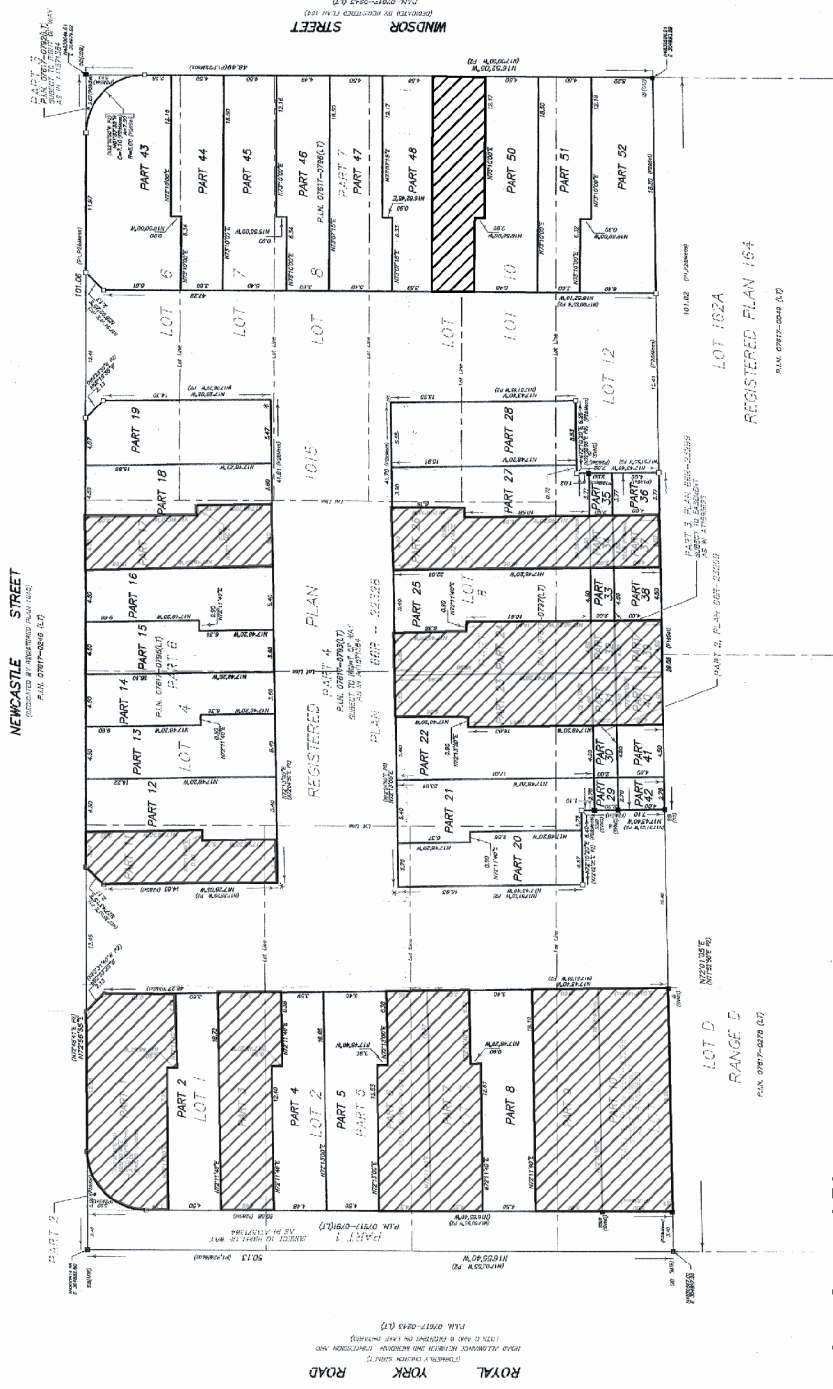
SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

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

Attachment 1: Part Lot Control Plan



Part Lot Control Plan Registered PI 1015
Reference Plan 66R-23489

347 Royal York Road

Applicant's Submitted Drawing

Not to Scale
11/26/06



Parts subject to extension of Part Lot Control

File # 07_269008

Attachment 2: Draft By-law to amend By-law No. 111-2008

Authority: Etobicoke York Community Council Report No. ~, Clause No. ~, as adopted by City of Toronto Council on ~, 2009
Enacted by Council: ~, 2009

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2009

To amend City of Toronto By-law Number 111-2008 being a By-law to exempt lands municipally known as 347 Royal York Road, Registered Plan 1015, designated as Parts 1, 3, 6, 7, 9 & 10, 11,17,49, 26 & 34 & 37, 24 & 32 & 39, 23 & 31 & 40 on Reference Plan 66R-23489 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 January 30, 2008 passed By-Law No. 111-2008 to exempt lands municipally known as 347 Royal York Road (Parts 1 to 42 inclusive, Plan 66R-23489) 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 City of Toronto By-law No. 111-2008 is deleted and the following is substituted for it:

This By-law expires on January 30, 2010

2. That Schedule A of City of Toronto By-law No. 111-2008 is deleted and the following is substituted for it:

“In the City of Toronto (Formerly the City of Etobicoke) and the Province of Ontario, in the Land Titles Division of the Toronto Registry Office (No. 66) being composed of:

FIRSTLY: Parts of Lots 1, 2, 3 and 11 on Registered Plan 1015 designated as Parts 1, 3, 6, 7, 9 and 10 on Reference Plan 66R-23489.

SECONDLY: Parts of Lots 1, 2, and 5 on Registered Plan 1015 designated as Parts 11 and 17 on Reference Plan 66R-23489.

THIRDLY: Parts of Lots 9 and 10 on Registered Plan 1015 designated as Part 49 on Reference Plan 66R-23489.

FOURTHLY: Parts of Lots 2, 3, 4, 5, 11 and 12 on Registered Plan 1015 designated as Parts 20, 23, 24, 26, 31, 32, 34, 37, 39 and 40 on Reference Plan 66R-23489.”

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)