



STAFF REPORT ACTION REQUIRED

252, 270, 272 and 276 Bering Avenue – Extension of By-law 837-2007, Exempting Lands from Part Lot Control – Final Report

Date:	March 31, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	07 105080 WET 05 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.

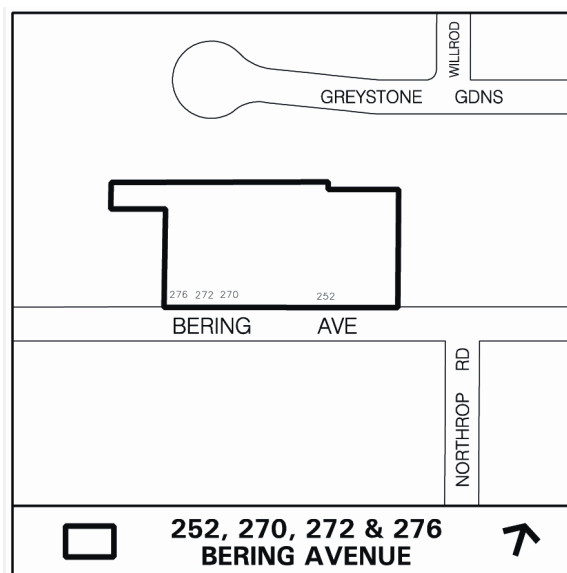
The purpose of this report is to recommend that By-law 837-2007 be extended for an additional two year period to allow for the lands municipally known as 252, 270, 272 and 276 Bering Avenue to be exempt from Part Lot Control.

Currently, the site is being developed for 74 townhouse dwelling units. The developer has requested that By-law 837-2007 be extended for an additional two year period to allow sufficient time for the dwelling units to be sold.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a By-law to extend the term of By-law 837-2007 to allow the lands municipally



known as 252, 270, 272 and 276 Bering Avenue to be exempt from Part Lot Control for an additional two year period from the expiry date of By-law 837-2007, in accordance with the draft By-law attached as Attachment 2.

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

On June 14, 2006, City Council approved a residential development consisting of 74 townhouse units. On June 29, 2006, City Council enacted By-law 568-2006 and By-law 569-2006 to amend the Official Plan and Zoning Code to permit the townhouse development. Subsequently, the owner executed a Site Plan Agreement with the City and received Committee of Adjustment approval to permit the townhouse development.

On July 19, 2007, City Council enacted By-law 837-2007 to exempt the lands municipally known as 252, 270, 272 and 276 Bering Avenue from Part Lot Control for a period of two years ending on July 19, 2009.

ISSUE BACKGROUND

Proposal

The applicant is requesting an exemption from Part Lot Control in order to create separate parcels for the townhouse units. The townhouse units are being marketed as freehold units. To allow for the eventual conveyance of the individual lots, an exemption from Part Lot Control will allow the site to be subdivided into individual lots.

COMMENTS

Section 50(7) of the Planning Act, R.S.O.1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot Control. The subject lands are within a registered plan of subdivision (Registered Plan 1553). Exemption from Part Lot Control may be employed as an effective means of subdividing the lands.

In order to ensure that Part Lot Control did not remain indefinitely, By-law 837-2007 is to expire on July 19, 2009. The developer has advised that not all of the 74 townhouses on the site have been sold. As such the applicant has requested that By-law 837-2007 be

extended for an additional two 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 development is proceeding in a timely manner.

CONTACT

Greg Hobson-Garcia, Planner

Tel. No. (416) 394-2615

Fax No. (416) 394-6063

E-mail: ghobson@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Draft Reference Plan

Attachment 2: Draft By-law to amend By-law No. 837-2007

Attachment 3: Application Data Sheet

File # 07_105080



Attachment 2: Draft By-law to amend By-law No. 837-2007

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 837-2007 being a By-law to exempt lands municipally known as 252, 270, 272 and 276 Bering 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 July 19, 2007 enacted By-Law No. 837-2007 to exempt lands municipally known as 252, 270, 272 and 276 Bering Avenue from Part Lot Control for a period of two years from the date of its enactment; 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. 837-2007 is amended by deleting the words “two years from the date of its enactment by Council” and replacing them with the words “on July 19, 2011”.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Attachment 3: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Numbers:	07 105080 WET 05 PL
Details		Application Date:	January 26, 2007

Municipal Address:	252, 270, 272 and 276 BERING AVE, TORONTO ON M8Z 3A3
Location Description:	PL 1553 PT LTS 41 42 **GRID W0506
Project Description:	Part Lot Control application to create 73 separate townhouse lots at 252, 270, 272 and 276 Bering Avenue.

Applicant:	Agent:	Architect:	Owner:
DUNPAR DEVELOPMENTS INC.			1322104 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	By-law: 569-2006
Zoning:	R4G	Historical Status:	N/A
Height Limit (m):	10 and 12.6	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	10,525	Height:	Storeys:	3
Frontage (m):	138		Metres:	12.6
Depth (m):	74			
Total Ground Floor Area (sq. m):	3,999.48			Total
Total Residential GFA (sq. m):	11,473.82		Parking Spaces:	161
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	11,473.82			
Lot Coverage Ratio (%):	38			
Floor Space Index:	1.09			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	11,473.82	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	73	Institutional/Other GFA (sq. m):	0	0
Total Units:	73			

CONTACT:	PLANNER NAME:	Greg Hobson-Garcia, Planner
	TELEPHONE:	(416) 394-2615