



STAFF REPORT ACTION REQUIRED

15 Harding Avenue (Part of Lots 23, 25 and 27 Registered Plan 1644) – Part Lot Control Application – Final Report

Date:	October 22, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 12 – York South-Weston
Reference Number:	09 153873 WET 12 PL

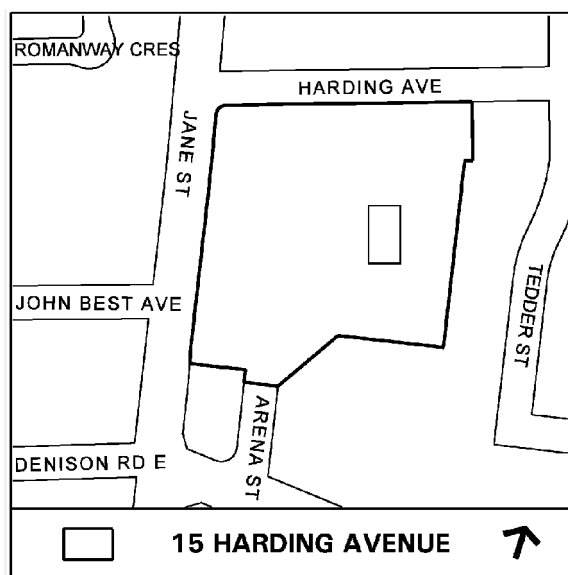
SUMMARY

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 reviews and recommends approval of an application by 1555 Jane Street Limited to lift Part Lot Control from the property municipally known as 15 Harding Avenue identified as Part of Lots 23, 25 and 27 on Registered Plan 1644.

This application proposes to lift Part Lot Control for a proposed development consisting of 6 freehold townhouses, thereby allowing the creation of separate individual residential lots each with a townhouse dwelling unit at 15 Harding Avenue.

The proposal complies with the existing Official Plan and Zoning By-law. The lifting of Part Lot Control for a period of one year is considered appropriate for the orderly development of these lands.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct that a Part Lot Control Exemption By-law with respect to the subject lands be prepared to the satisfaction of the City Solicitor, and that such By-law shall expire one year after it has been enacted.
2. City Council authorize the City Solicitor to introduce the necessary Bill provided that:
 - a. all tax arrears and current taxes owing be paid in full, and
 - b. the owner of the subject lands has registered, satisfactory to the City Solicitor, a Section 118 restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands without the prior written consent of the Chief Planner or his delegate.
3. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 restriction at such time as the Site Plan Agreement has been executed.
4. 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 October 4, 2004, the Ontario Municipal Board (Order No.1587) granted Site Plan approval (application No. 00 035316 NNY 12 SA, formerly UDSP-00-047), as amended by the Ontario Board Order No. 1974, issued on December 24, 2004, all in relation to a proposed development on the lands.

The property is currently owned by 1555 Jane Street Limited. 1555 Jane street received Committee of Adjustment (B16/09EYK) consent to sever its property into seven separate parcels of land.

ISSUE BACKGROUND

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate parcels for the 6 semi-detached townhouse dwelling units being proposed. The units will be marketed as freehold units with frontage onto Harding Avenue. To allow for the

eventual conveyance of the individual lots, an exemption from Part Lot Control will allow the site to be subdivided into 6 individual residential lots.

Refer to Attachment No. 1 for Part Lot Control reference plan.

Refer to Attachment No. 2 for Application Data Sheet

Site and Surrounding Area

The property is located on the south side of Harding Avenue, east of Jane Street.

The property is located in a Mixed Use Areas. The development is part of Phase 4 of the overall redevelopment of the site known as 1555 Jane Street.

Phase 1 consists of a 2-storey underground garage, which has been completed. Phase 2 consists of a 9-storey multi-use residential apartment building at 5 Harding Avenue that has been completed and occupied. Phase 3 consists of a 1-storey retail building which has not yet been built. Phase 4 consists of 6 freehold townhouse and 12 rental townhouses, which are currently under construction. Phase 5 consists of the ground floor retail conversion at 15 Harding Avenue (former address 1555 Jane Street) to 10 residential units which were recently completed.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS. In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated as Mixed Use Areas in the Official Plan (Land-use Map 14). Townhouses are a permitted use.

Zoning

The property is zoned RM6(101) By-law 357-2003 (OMB), in the former City of North York Zoning By-law. Townhouses, defined as multiple attached dwellings in the By-law, are a permitted use.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

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 (Part of Lots 23, 25 and 27 Registered Plan 1644) 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.

Prior to the enactment of a Part Lot By-law, it is recommended that the owner register a Section 118 Restriction under the Land Titles Act. The Restriction requires the owner to agree not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate.

In order to ensure that Part Lot Exemption does not remain in force indefinitely, the exempting By-law should contain an expiration date. In this instance, the By-law should expire one year after being enacted. This will provide sufficient time for the completion of the project and the conveyance of the lots.

CONTACT

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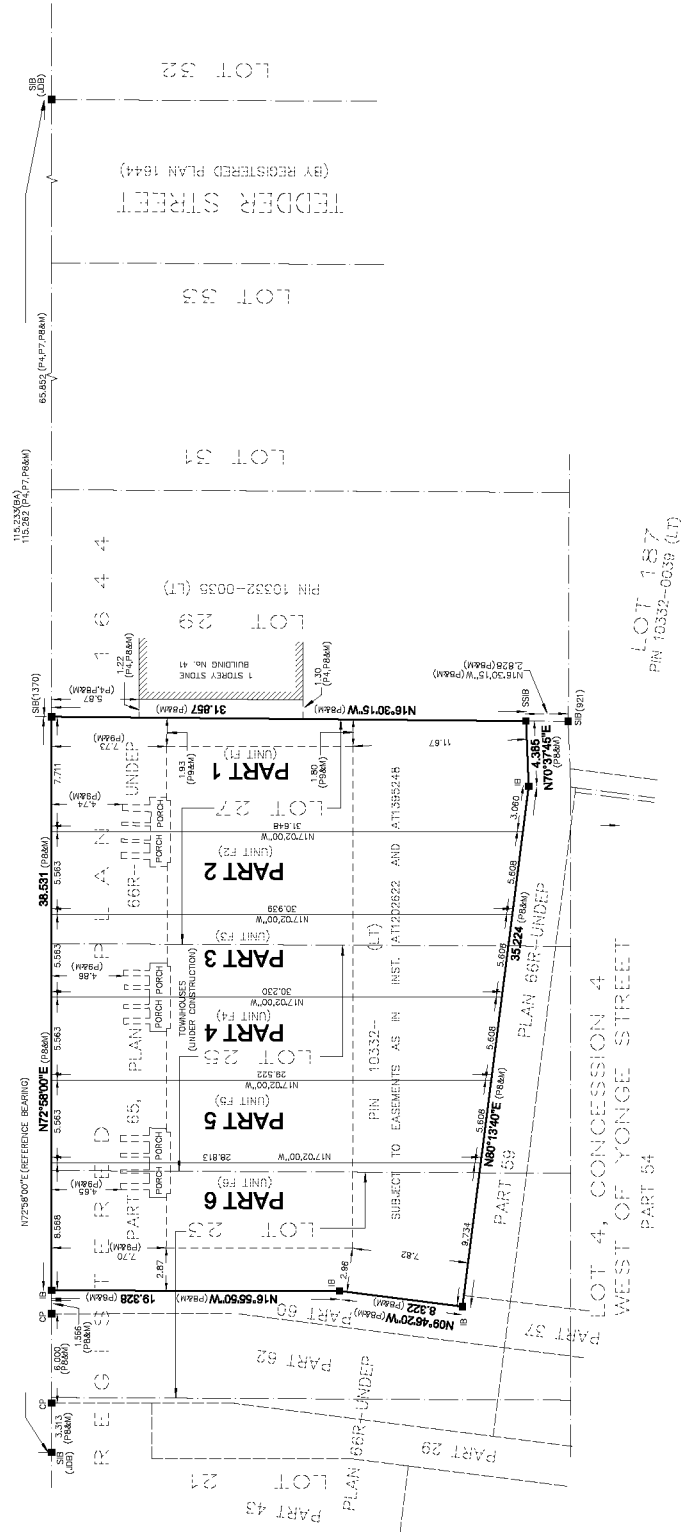
SIGNATURE

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

ATTACHMENTS

Attachment 1: Part Lot Control
Attachment 2: Application Data Sheet

HARDING AVENUE
(BY REGISTERED PLAN 1944)
DN 10332-0032 (LT)



Part Lot Control Plan



Not to Scale
10/21/09

Attachment 2: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Number:	09 153873 WET 12 PL
Details		Application Date:	August 5, 2009

Municipal Address:	15 HARDING AVE
Location Description:	STRUCTURE ADDRESS FOR 1543-1569 JANE ST CON 4 WY PT LOT 4 PLAN 3516 LOTS 9 & 10 LANE PT LOT 11 PLAN 1644 LOTS ODD PT LOTS 7 9 11 R3449 PARTS 1-10 **GRID W1203
Project Description:	Proposal to lift Part Lot Control for developing consisting of six freehold townhouses. Development is part of Phase 4 of the overall redevelopment of the site known as 1555 Jane Street.

Applicant:	Agent:	Architect:	Owner:
HOUSER HENRY AND SYRON LLP			1555 JANE STREET LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	RM6(101) by-law 357-2003	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	1161.2	Height:	Storeys:	3
Frontage (m):	38.531		Metres:	8.51
Depth (m):	30			
Total Ground Floor Area (sq. m):	435.68			Total
Total Residential GFA (sq. m):	882.74		Parking Spaces:	12
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	882.74			
Lot Coverage Ratio (%):	37.46			
Floor Space Index:	0.759			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	882.74	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:	6	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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