

2230 Gerrard St E – Part Lot Control Application – Final Report

Date:	February 26, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	08 221059 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 property known as 2230 Gerrard Street East.

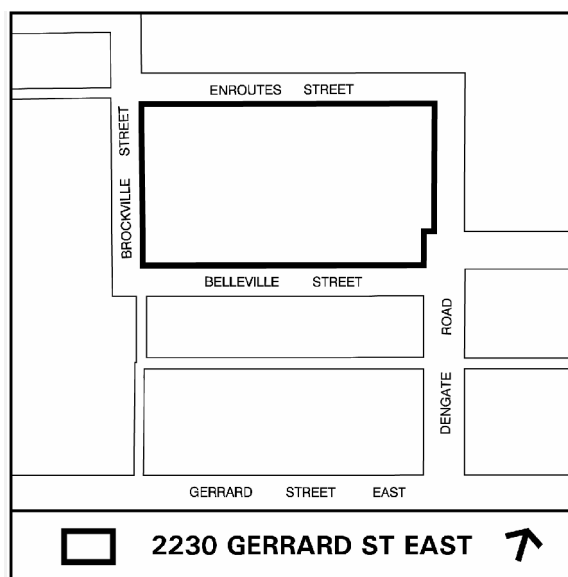
The requested exemption from the part lot control provisions of the Planning Act is required to create conveyable lots for the 3 blocks of townhouses and two new city-owned roads that were approved by the Ontario Municipal Board.

This report reviews and recommends approval of the part lot control exemption.

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 51 of Plan 66M-2414 to be prepared to the satisfaction of the City Solicitor and to expire two years 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.
3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Development within the Upper Beach Subdivision was originally approved by Ontario Municipal Board in it's decision dated January 30, 2001 and was implemented by the passing of zoning by-laws 190-2001 and 191-2001. At the time of the original by-law, the development block that is the subject of this application was to be developed with stacked or interlocked townhouses with underground parking. The developer determined that the approved proposal with underground parking was not feasible and made an application in 2005 to develop the land with grade related townhouses. The application was appealed to the Ontario Municipal Board, where a settlement was reached with the City to construct an alternate proposal with a combination of 120 stacked townhouses and 12 freehold townhouses. The units will be accessed by two new city-owned roads. Parking for the three blocks of stacked townhouses will be provided in private garages located to the rear of the houses which will be accessed by means privately owned laneways.

The freehold townhouses will have front integral garages and will not be part of the proposed condominiums. The 120 staked townhouses will be provided for in 3 separate blocks of 40 units that will each form a separate condominium corporation. The condominium corporation will maintain ownership of the private lane giving access to the parking.

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 for the purpose of conveying the units.

ISSUE BACKGROUND

Proposal

The lots front onto 2 newly created City-owned streets and have vehicular access by means of a privately owned 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 12 townhouses and three condominium blocks, each containing 40 stacked townhouses.

Site and Surrounding Area

The property is located within the Upper Beach development. Specifically, the block is located north of Gerrard Street East and is bounded by Musgrave Street to the east, Bellville Street to the south, Brockville Street to the west and Enroutes Street to the north.

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 1991-2001 (OMB), as amended by the Committee of Adjustment, which permits the proposed development that is 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 12 townhouse units, the two new roads and the three blocks of stacked townhouses that will be separate condominiums. In order to ensure that part lot control is not lifted indefinitely, it is recommended that the exempting by-law expire two years 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 complies with the Official Plan and zoning by-law, and is considered appropriate for the orderly development of the lands.

CONTACT

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SIGNATURE

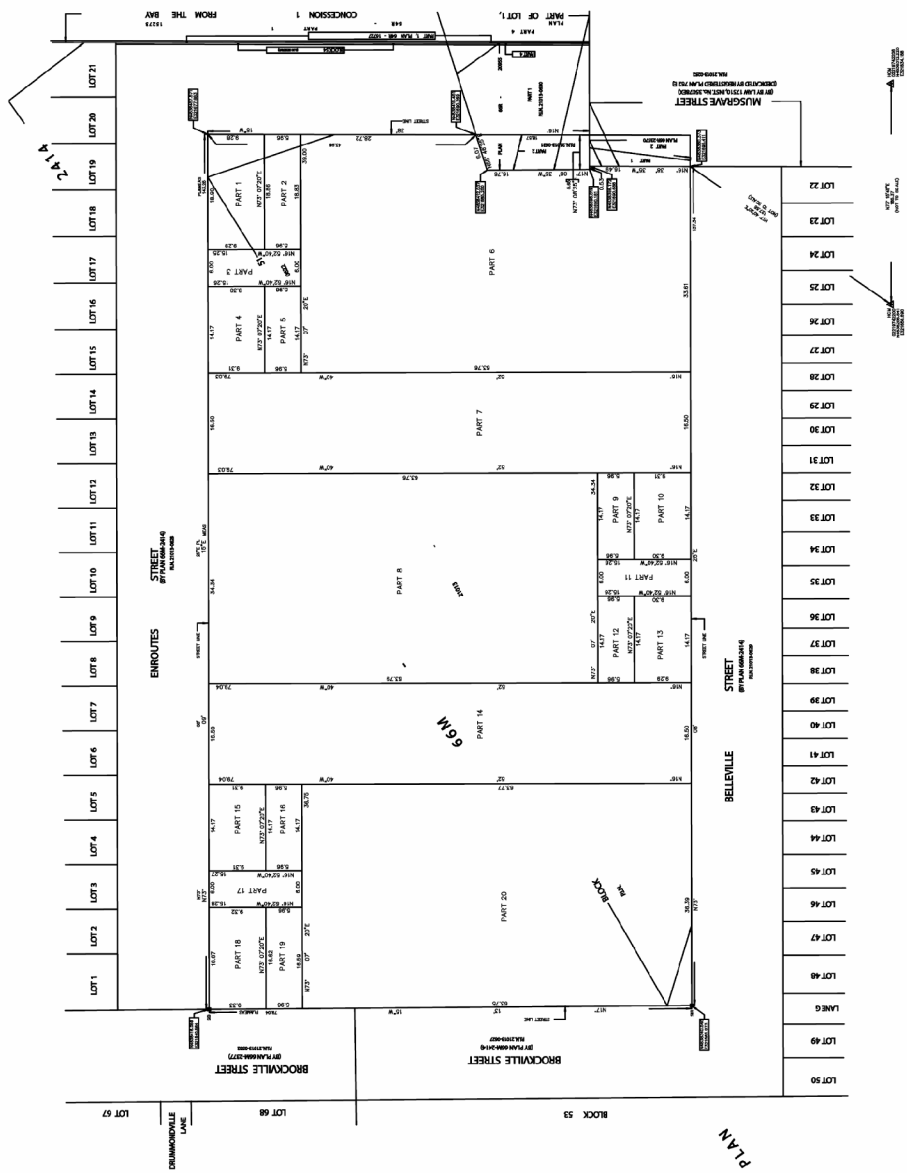
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Plan of Survey

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2230 Gerrard Street East

Plan of Survey
Applicant's Submitted Drawing
Not to Scale
01/22/09

File # 08_221059