

Formerly Part of 115 Torbarrie Road (Semi-detached Dwelling Lots) – Part Lot Control Exemption Application – Final Report

Date:	April 4, 2011
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	11 140732 WET 07 PL

SUMMARY

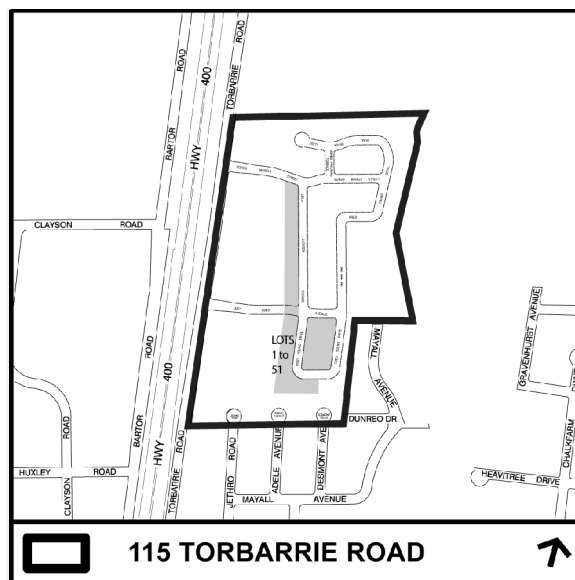
This report reviews and recommends approval of an application by Ringley Construction Limited for Part Lot Control Exemption for 4 pairs of semi-detached dwellings (8 units) within the development on lands formerly known as 115 Torbarrie Road (the former Workplace Safety and Insurance Board (WSIB) site) (Lots 14, 28, 35 and 38, inclusive municipally known as 5, 7, 10, 12, 17, 19, 47 and 49 Leila Jackson Terrace).

An exemption from Part Lot Control will allow each lot containing a pair of semi-detached dwelling units to be subdivided yielding 8 individual residential lots each with a semi detached dwelling unit.

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

RECOMMENDATIONS

The City Planning Division recommends that:



1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands formerly part of 115 Torbarrie Road (Lots 14, 28, 35 and 38, inclusive on Plan 66M-2436 and municipally known as 5, 7, 10, 12, 17, 19, 47 and 49 Leila Jackson Terrace) as generally illustrated on Attachment 1, to be prepared to the satisfaction of the City Solicitor and to expire two years following enactment by City Council.
2. City Council require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, 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.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Official Plan and Zoning By-law amendments to permit the redevelopment of the former Workplace Safety and Insurance Board (WSIB) site were approved by Toronto City Council in April 2003 (OPA No. 537 and By-law 416-2003).

The Plan of Subdivision was registered April 12, 2007 (Plan 66M-2436).

On July 19, 2007 City Council enacted By-law 884-2007 to exempt the lands municipally known as 115 Torbarrie Road (Lots 2 to 51, inclusive, Plan 66M-2436) from Part Lot Control for a one year period ending on July 19, 2008. On July 17, 2008 City Council enacted By-law 797-2008 to extend the part lot control exemption for an additional year. The part lot control exemption for these lots expired on July 19, 2009.

On December 4, 2009 City Council enacted By-law 1205-2009 to exempt the lands municipally known as 115 Torbarrie Road (Lots 7, 10, 12-25, 28, 30, 32, 35, 36, 38 and 42, Plan 66M-2436) from Part Lot Control for a one year period. The part lot control exemption for these lots expired on December 4, 2010.

ISSUE BACKGROUND

Proposal

The applicant is requesting exemption from Part Lot Control in order to create separate lots for the 8 semi-detached dwelling units for which part lot control exception was

previously granted and extended but then expired in July 2009. The units will be marketed as freehold units with frontage onto Leila Jackson Terrace. An exemption from Part Lot Control will allow existing subdivision lots (Lots 14, 28, 35 and 38, inclusive on Plan 66M-2436 and municipally known as 5, 7, 10, 12, 17, 19, 47 and 49 Leila Jackson Terrace) to be subdivided to a total of 8 individual, separately conveyable residential lots, each to contain a semi-detached dwelling unit. Attachment 1 shows the area for which the semi-detached dwelling units are permitted in the subdivision and in which the various lots subject to this application, are located.

Site and Surrounding Area

The property is located on the east side of Torbarrie Road, adjacent to Highway 400 and midway between Wilson Avenue and Sheppard Avenue. The site was formerly the location of the Workplace Safety Insurance Board (WSIB) rehabilitation facility. The development lots which are the subject of this application are located internal to the subdivision and front on to new public roads (Leila Jackson Terrace and Fred Young Drive) created by the Plan of Subdivision.

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. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated as Neighbourhoods in the Official Plan (Map 13) and is subject to Site and Area Specific Policy No. 242. Semi-detached dwelling units are a permitted use.

Zoning

On August 27, 2010, City Council enacted a new city-wide Zoning By-law 1156-2010 for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both Zoning By-law 438-86 for the former City of Toronto and the new zoning by-law are in effect for the subject lots.

Under By-law 1156-2010, the area is zoned RS(a500)(x191) which permits the existing semi-detached houses.

The property is zoned RM2(36) in the former City of North York Zoning By-law application. Semi-detached dwelling units are a permitted use.

COMMENTS

Land Division

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. 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.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the By-law should expire two years following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development.

The proposal complies with the amended Official Plan and Zoning By-law. The previous part lot control exemption application was circulated to various Divisions and Agencies for comment and no issues were identified. The current application was circulated to the Technical Services Division for comments and no issues or requirements were identified.

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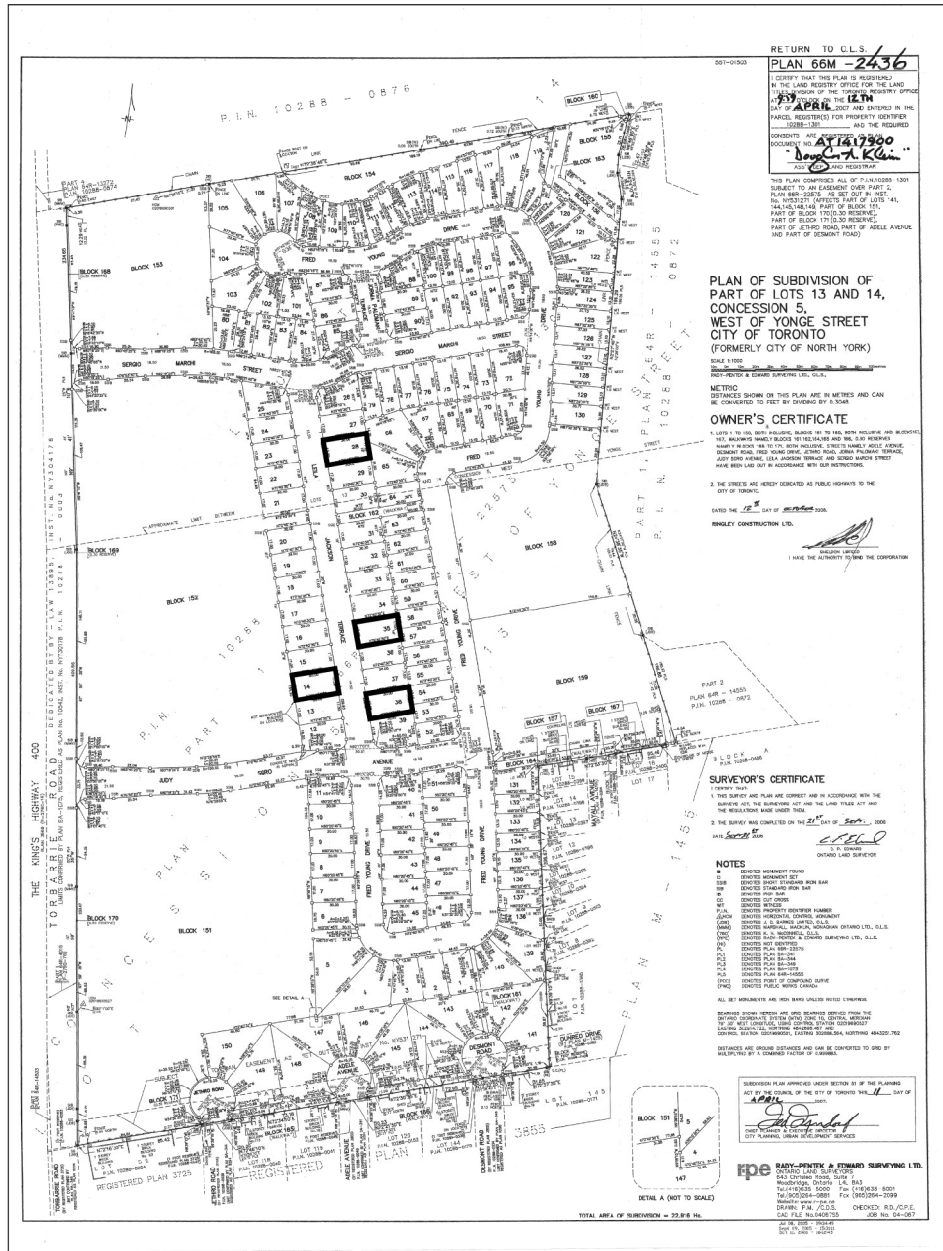
SIGNATURE

Thomas C. Keefe
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plan

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Site Plan

Applicant's Submitted Drawing

Not to Scale
03/29/11



115 Torbarrie Road

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