

1 to 47 Isaac Devins Boulevard (Formerly Part of 3035 Weston Road – Lots 16 to 27 on Plan 66M-2503) – Part Lot Control Exemption Application – Final Report

Date:	March 13, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 256651 WET 07 PL

SUMMARY

This application requests exemption from the Part Lot Control provisions of the *Planning Act* to permit the creation of conveyable lots for the development of 18 detached dwellings at 1 to 47 Isaac Devins Boulevard (Lots 16 to 27 on Registered Plan of Subdivision 66M-2503).

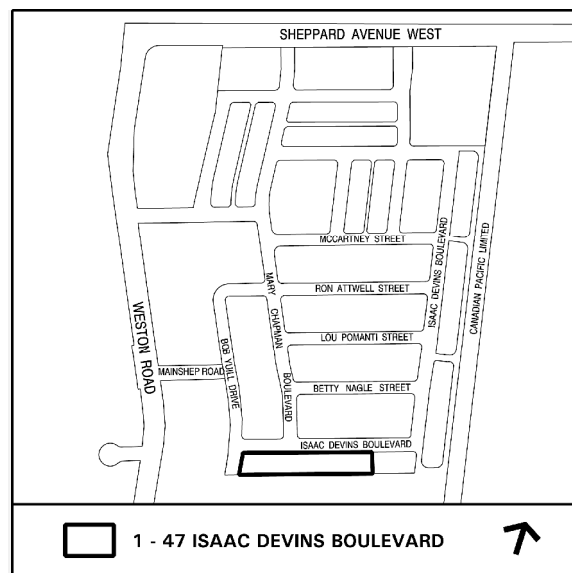
The proposal complies with the Official Plan and Zoning By-law. The lifting of Part Lot Control for a period of two years is considered appropriate for the orderly development of these lands.

This report reviews and recommends approval of 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 lands at 1 to 47 Isaac Devins Boulevard (Lots 16 to 27 on Registered Plan of Subdivision 66M-2503) as generally illustrated on Attachment



- 1 to this report, 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

An amendment to the former City of North York Official Plan to permit the residential redevelopment of the lands formerly known as 3035 Weston Road was approved by the Ontario Municipal Board on July 8, 2008 (OPA No. 573 to the former City of North York Official Plan). On September 30, 2010 the Ontario Municipal Board approved modifications to the new City of Toronto Official Plan associated with the redevelopment of the former industrial lands for residential uses.

An amendment to former City of North York Zoning By-law No. 7625 was approved by the Ontario Municipal Board on July 3, 2012 (By-law No. 1657-2012 (OMB)) providing for the redevelopment of the former industrial lands for residential uses.

The Plan of Subdivision that created semi-detached Lots 16 to 27 (1 to 47 Isaac Devins Boulevard), among other lots in the residential subdivision of the lands formerly known as 3035 Weston Road, was registered on January 13, 2013 (Plan 66M-2503).

A further amendment to former City of North York Zoning By-law No. 7625 to permit the development of 18 detached dwellings, in lieu of the 24 semi-detached dwelling units permitted under By-law No. 1657-2012 (OMB), at 1 to 47 Isaac Devins Boulevard was approved by City Council on February 19, 2014, resulting in the enactment of Zoning By-law No. 90-2014.

ISSUE BACKGROUND

Proposal

This application requests exemption from the Part Lot Control provisions of the *Planning Act* to create separate, conveyable lots for 18 detached dwellings at 1 to 47 Isaac Devins Boulevard (Lots 16 to 27 on Registered Plan of Subdivision 66M-2503).

The 18 detached dwellings would be constructed in lieu of the 24 previously approved semi-detached dwelling units on the subject lands. The zoning provisions for the lands were recently changed by By-law No. 90-2014 to facilitate the development of the detached dwellings. The lifting of Part Lot Control on the subject lands would facilitate the proposed development of the lands.

For more information, refer to Attachment 1: Part Lot Control Exemption Plan.

Site and Surrounding Area

The subject lands are part of a larger subdivision of lands formerly known as 3035 Weston Road, which is currently under construction. The subdivision is located east of Weston Road, south of Sheppard Avenue West and north of Starview Lane. The subdivision is rectangular in shape and is approximately 5.15 ha in size.

Surrounding uses include:

- North: Residential subdivision (formerly known as 2277-2295 Sheppard Avenue West) with a retail block at the northeast corner.
- East: Canadian Pacific Railway tracks and industrial lands with warehouse uses beyond.
- South: St. Basil the Great College Secondary School and detached and semi-detached dwellings.
- West: Detached dwellings and the Humber River Valley system beyond.

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.

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.

Official Plan

The subject lands are designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are physically stable areas providing for a variety of lower scale residential uses, 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. Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Development in established neighbourhoods will respect and reinforce the existing physical character of

the neighbourhood, including patterns of streets, blocks and lanes, parks and public building sites, the size and configuration of lots, prevailing building type(s), setbacks of buildings from the street, prevailing patterns of rear and side yard setbacks and landscaped open space. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Zoning

In accordance with the established protocol, the lands were excluded from the new City of Toronto Zoning By-law No. 569-2013 as the associated Zoning By-law Amendment application (File No. 13 142592 WET 07 OZ) was deemed to be a complete application prior to the passage of the Zoning By-law. As such, former City of North York Zoning By-law No. 7625 continues to apply to the lands. The subject lands are zoned R7(19), which permits detached dwellings on lots having a minimum lot area of 265 m² and having a minimum lot depth of 29.5 m.

Site Plan Control

The proposed development for detached dwellings is not subject to Site Plan Control under City of Toronto By-law No. 774-2012.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The proposal also conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The lifting of Part Lot Control from the subject lots and blocks allows for the orderly development of lands within this new neighbourhood.

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 Registered Plan of Subdivision 66M-2503. 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.

The proposal complies with the Official Plan and Zoning By-law. The Part Lot Control Exemption application was circulated to various Divisions and agencies for comment and no issues were identified.

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 would provide sufficient time for the completion of the proposed development.

CONTACT

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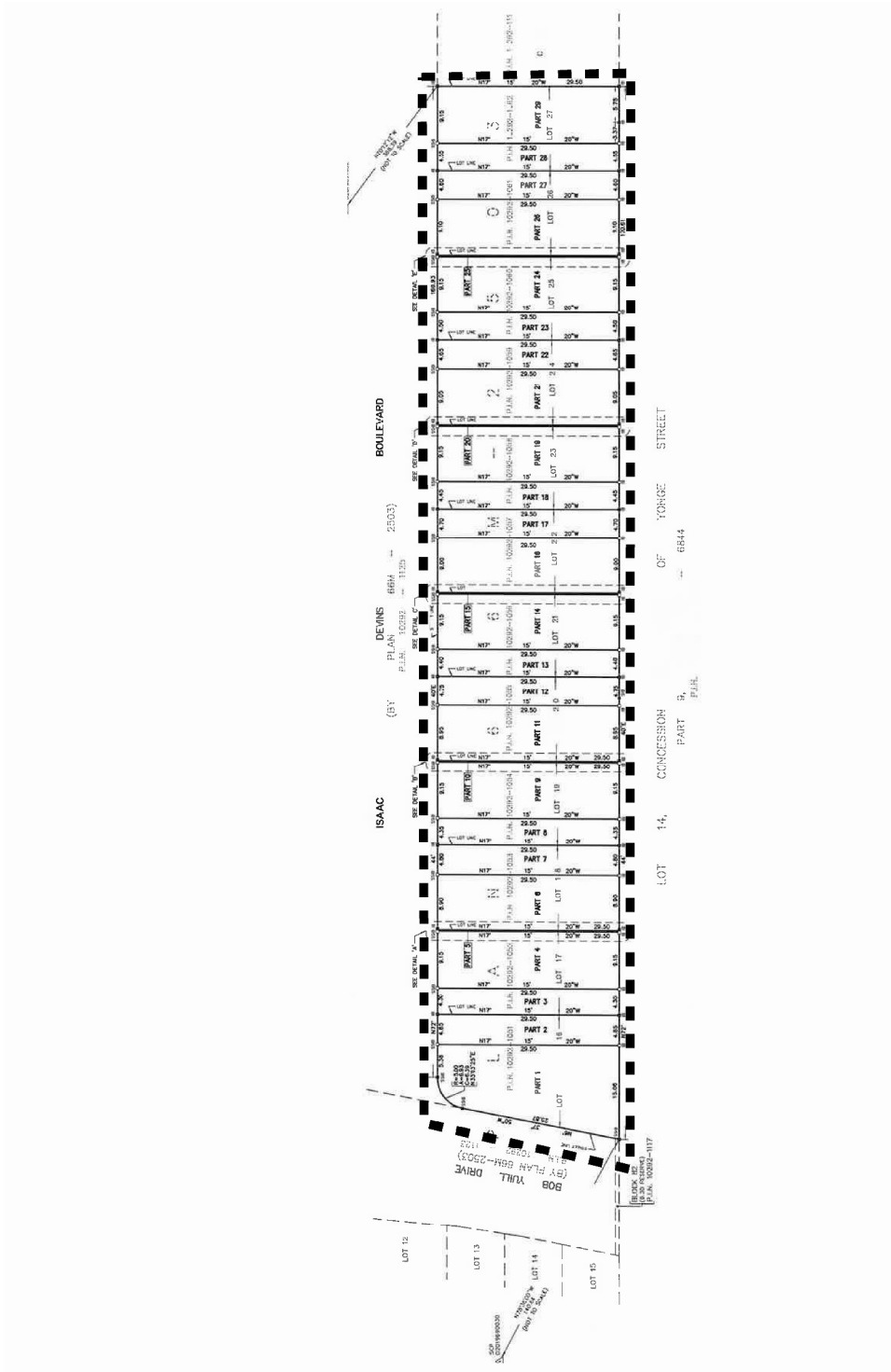
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plan

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1-47 Isaac Devins Boulevard

Part Lot Control Exemption Plan

Applicant's Submitted Drawing

Not to Scale
03/10/2014

File # 13 256651 WET 07 PL

