

**3-29 and 37-55 Ypres Road, 1-11 George Brownlee Court and 306B and 308A Kane Street (Formerly 55 Ypres Road) (Lots 2-11, 13-23, 25-38, 41 and 42 Plan 66M-2517) – Part Lot Control Exemption Application – Final Report**

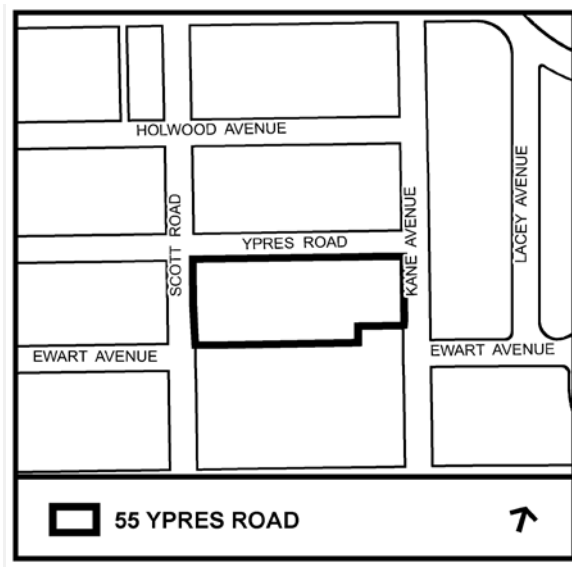
<b>Date:</b>	December 15, 2014
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 12 – York South-Weston
<b>Reference Number:</b>	14 219864 WET 12 PL

**SUMMARY**

This application requests exemption from the Part Lot Control provisions of the *Planning Act* to permit the creation of reciprocal easements for 37 freehold residential lots consisting of 6 detached dwelling lots and 31 semi-detached dwelling lots in a Plan of Subdivision recently registered as Plan 66M-2517. The subdivision consists of a total of 43 freehold residential lots and approximately 641 square metres of land for a public park fronting Scott Road and adjoining the playfield of Silverthorn Community School.

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

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### The City Planning Division recommends that:

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 3-29 and 37-55 Ypres Road, 1-11 George Brownlee Court and 306B and 308A Kane Street (Lots 2-11, 13-23, 25-38, 41 and 42 Plan 66M-2517) 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 York Zoning By-law No. 1-83 was approved by City Council on December 16, 2013, resulting in the enactment of Zoning By-law No. 1680-2013 to permit the redevelopment of the former Toronto District School Board property (TDSB) at 55 Ypres Road for a residential subdivision consisting of 43 lots (7 detached dwelling lots, 36 semi-detached lots) and a public park block.

The Plan of Subdivision was registered on September 12, 2014 as Plan 66M-2517.

### ISSUE BACKGROUND

#### Proposal

This application requests exemption from the Part Lot Control provisions of the *Planning Act* to create reciprocal easements, for 37 of the 43 freehold residential lots, to allow for maintenance and access to the rear yards of the lots at 3-29 and 37-55 Ypres Road, 1-11 George Brownlee Court and 306B and 308A Kane Street (Lots 2-11, 13-23, 25-38, 41 and 42 Plan 66M-2517).

The creation of reciprocal easements were required through the subdivision approval process as the minimum separation between the proposed dwellings generally would be 1.2 metres.

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

## **Site and Surrounding Area**

The subdivision is located south of Eglinton Avenue West and east of Keele Street in the Silverthorn community. The subdivision is approximately 1.16 hectares in area. It has a frontage of approximately 173 metres on the south side of Ypres Road, a frontage of approximately 72 metres on the east side of Scott Avenue and a frontage of approximately 48 metres on the west side of Kane Avenue. Single detached and semi-detached houses are currently under construction within the subdivision.

Surrounding uses include:

North, East and West: Detached and semi-detached dwellings.

South: TDSB Silverthorn Community School (formerly known as Kane Middle School) and detached and semi-detached dwellings beyond.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 property is designated *Neighbourhoods* on Map 17 – Land Use Plan of the Official Plan. *Neighbourhoods* are physically stable areas providing for a variety of lower scale residential uses, such as detached and semi-detached dwellings, as well as parks. 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 the size and configuration of lots, setbacks of buildings from the street, prevailing patterns of rear and side yard setbacks and landscaped open space and the continuation of special landscape or built form

features that contribute to the unique physical character of a neighbourhood. 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. 12 256257 WET 12 OZ) was deemed to be a complete application prior to the passage of the Zoning By-law. As such, former City of York Zoning By-law No. 1-83 continues to apply to the lands. The subject lands are zoned R2, which permits detached and semi-detached dwellings, as well as Parks.

Zoning By-law No. 1680-2013 establishes a site specific zoning for the lands as Section 16(445) in former City of York Zoning By-law No. 1-83. The site specific zoning permits the residential subdivision development and establishes zoning standards for the development of detached and semi-detached dwellings on the subdivision lots.

## **Site Plan Control**

The proposed development for detached and semi-detached dwellings was 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 allows for the orderly development of lands within this new neighbourhood.

### **Land Division**

Section 50(7) of the *Planning Act* 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-2517. Thus, exemption from Part Lot Control may be employed as an effective means of creating reciprocal easements to provide maintenance between the proposed dwellings and access to the rear yards of the lots.

The proposal complies with the Official Plan and amended Zoning By-law with respect to the performance standards established by Site Specific Zoning By-law No.1680-2013. The Part Lot Control Exemption application was circulated to various Divisions and agencies for comment and no issues were identified. 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.

## **CONTACT**

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## **SIGNATURE**

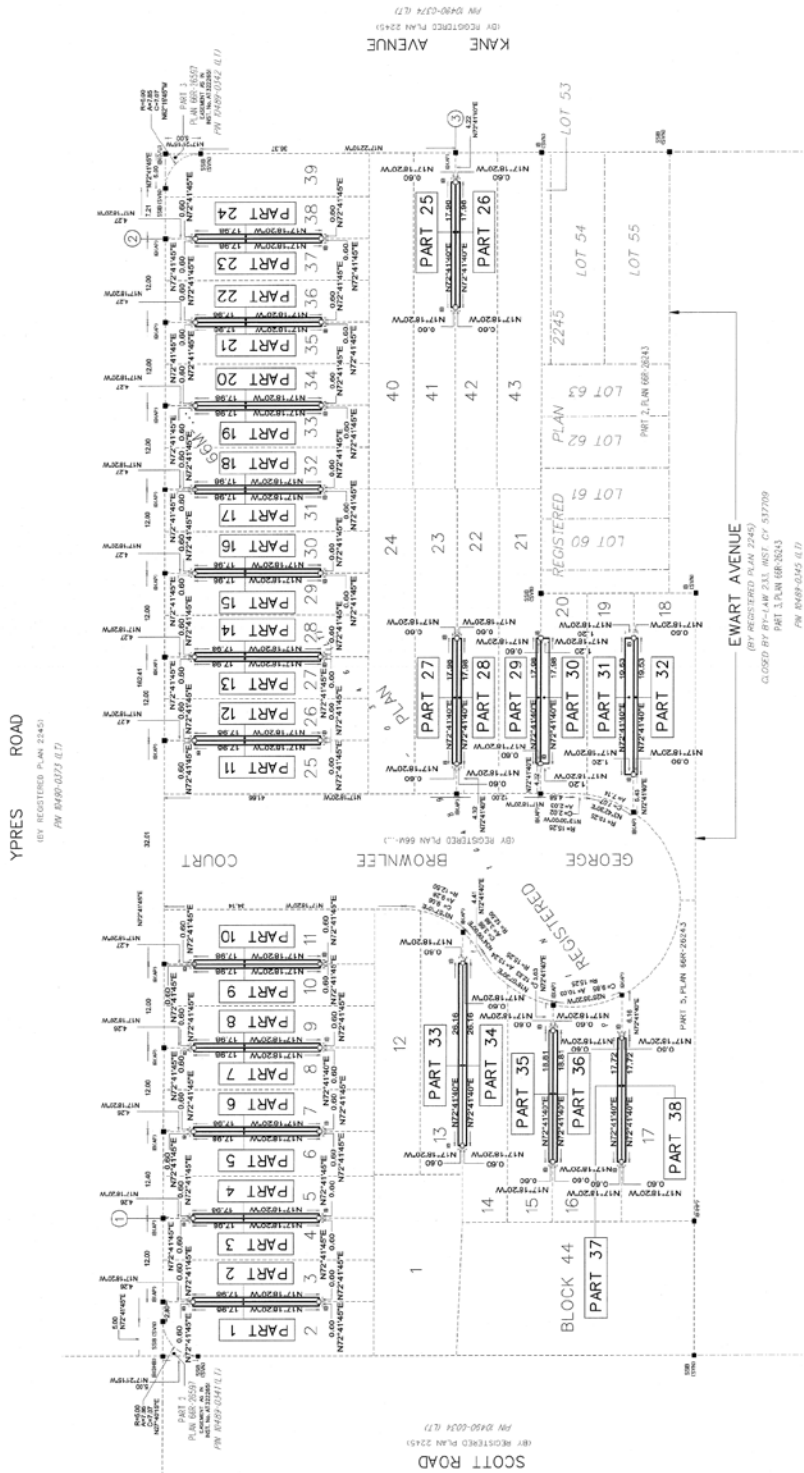
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Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

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

# Attachment 1: Part Lot Control Exemption Plan



55 Ypres Road

Part Lot Control  
 Applicant's Submitted Drawing

Not to Scale  
 09/18/14

File # 14 219864 WET 12 PL

## Attachment 2: Application Data Sheet

Application Type	Rezoning	Application Number:	12 256257 WET 12 OZ
Details	Rezoning, Standard	Application Date:	October 1, 2012

Municipal Address: 55 YPRES RD  
 Location Description: PLAN 2061 BLK A PLAN 2245 LOTS 47 TO 63 \*\*GRID W1210  
 Project Description: Proposal to construct 43 new freehold residential units (7 detached dwellings and 36 semi-detached dwellings).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ICON PARTNERS LTD			ICON PARTNERS INC TRUST

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	n/a
Zoning:	York By-law 1-83 R2	Historical Status:	n/a
Height Limit (m):	11	Site Plan Control Area:	No

### PROJECT INFORMATION

Site Area (sq. m):	11638	Height:	Storeys:	3
Frontage (m):	172		Metres:	11
Depth (m):	48 (east), 72 (west)			
Total Ground Floor Area (sq. m):	0			<b>Total</b>
Total Residential GFA (sq. m):	9920		Parking Spaces:	43
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	9920			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0.85			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	9920	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:	43	Institutional/Other GFA (sq. m):	0	0
Total Units:	43			

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