

2819 St Clair Avenue East – Part Lot Control Exemption Application – Final Report

Date:	December 12, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 31 – Beaches-East York
Reference Number:	14-162031 STE 31 PL

SUMMARY

This application proposes to develop the site at 2819 St. Clair Avenue East with 8 live-work townhouse dwelling units.

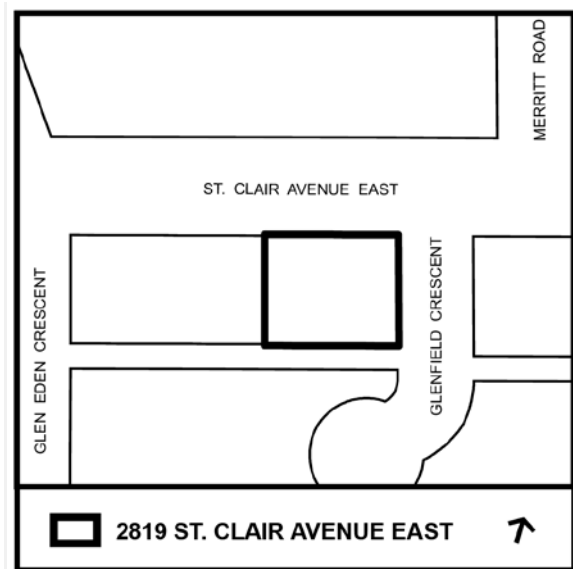
The requested exemption from the Part Lot Control provisions of the Planning Act is required in order to permit the creation of conveyable lots for the 8 live-work townhouse units.

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 2819 St. Clair Avenue East as generally illustrated on Attachment 1 to report (December 12, 2014) from the Director, Community Planning, Toronto and East York District, 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 Borough of East York Zoning By-law 6752 to permit the eight live-work townhouse dwelling units at 2819 St. Clair Avenue East was approved by Toronto City Council on December 2, 2008.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.TE20.15>

The City Planning Division issued Site Plan Approval for the eight live-work townhouse dwelling units at 2819 St. Clair Avenue East on July 23, 2013.

ISSUE BACKGROUND

Proposal

The applicant proposes to develop the property at 2819 St. Clair Avenue East with 8 three-storey live-work townhouse units. The development will have an overall height of approximately 10 metres. This proposal is intended to be a freehold townhouse development, with each unit fronting on a public street and individually serviced. The provision of vehicular access is off of a public lane. As such, no common elements condominium application is required.

Refer to Attachment No. 2 of the report dated December 12, 2014 from the Director, Community Planning, Toronto and East York District for project data.

Site and Surrounding Area

The subject site is located on the south side of St. Clair Avenue East, midway between Victoria Park Avenue and O'Connor Drive. The subject site has a frontage of approximately 30.5 metres, a depth of approximately 37 metres and an overall site area of approximately 1,117 m². The site formerly consisted of an automotive repair shop and a gas bar that has now been demolished and decommissioned. The 8 live-work townhouse dwelling units are currently under construction.

Development in the vicinity is as follows:

- North: An elementary school and low density residential development in the form of single detached dwellings;
- East: A place of worship and mixed use developments with commercial at grade and residential above;
- South: Low density residential development in the form of single detached dwellings; and
- West: A place of worship and low density development in the form of townhouse dwellings and single detached dwellings.

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.

Official Plan

The subject site is designated *Mixed Use Areas* in the Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

Mixed Use Areas achieve a multitude of planning objectives by combining a broad array of residential, office, retail and services uses. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment; and
- providing good site access and circulation and an adequate supply of parking for residents and visitors.

Zoning

The subject lands are subject to By-law No. 6752 as amended and site-specific By-law 354-2009 which permits the proposed live-work townhouse and sets out the specific zoning restrictions including height, density and the building envelope. The development presently under construction complies with this zoning.

Site Plan Control

A Site Plan Control application for the lands at 2819 St. Clair Avenue East was submitted on December 28, 2007. A Site Plan Agreement was registered on title as Instrument AT2028347 on January 19, 2009 and the Statement of Approval was issued on April 29, 2009.

A Site Plan Control revision application for changes to the façades of the building and to construct and maintain revised stormwater management measures, site servicing and grading on the subject property was submitted on June 20, 2012. The Site Plan Agreement revision was registered on title as Instrument AT3352736 on July 17, 2013 and the Statement of Approval was issued on July 23, 2013.

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 draft plan approval conditions.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

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.

CONTACT

Jason Tsang, Assistant Planner
Tel. No. 416-392-4237
Fax No. 416-392-1330
E-mail: jtsang2@toronto.ca

SIGNATURE

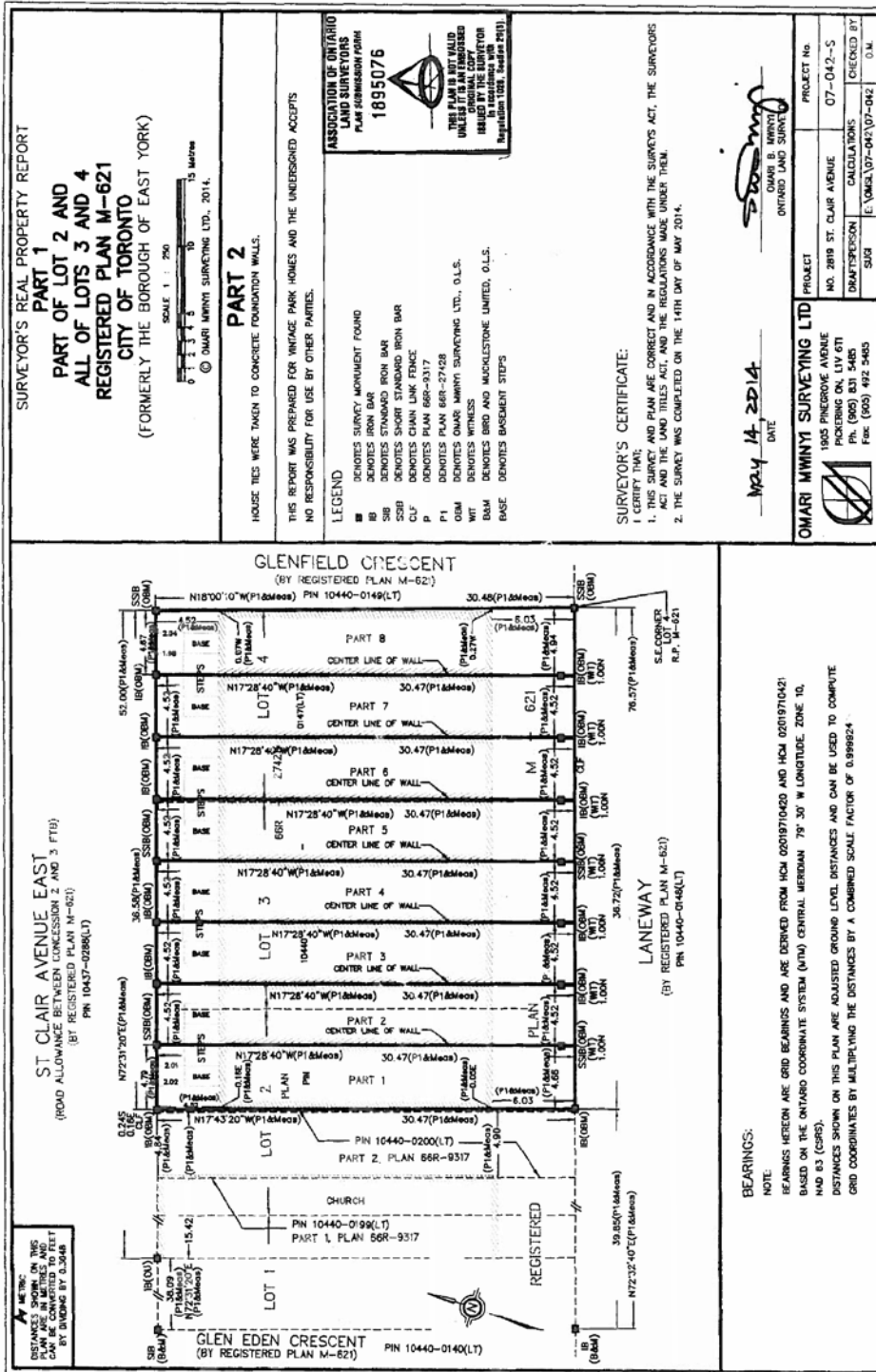
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(P:\2015\Cluster B\pln\TEYCC\29860463042.doc) - smc

ATTACHMENTS

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

Attachment 1: Part Lot Control Exemption Plan



2819 St. Clair Avenue East

Site Plan
 Applicant's Submitted Drawing

File # 14 162031 STE 31 PL

Not to Scale
 12/01/2014

Attachment 2: Application Data Sheet

Application Type Details	Part Lot Control Exemption	Application Number:	14 162031 STE 31 PL
Municipal Address:	2819 ST CLAIR AVE E	Application Date:	May 26, 2014
Location Description:	**GRID S3106		
Project Description:	Proposal for Part Lot Control to the subject site described legally as Part of Lot 2 and all of Lots 3 and 4 on Registered Plan M-621 to create individual parcels for the purposes of the proposed "Freehold" Townhouse project already under construction and approved under 12 197143 STE 31 SA. Each unit will have individual frontages and services on St Clair Ave E along with a front and vehicular access to the south public laneway.		

Applicant:	Agent:	Architect:	Owner:
Urban Growth Inc	Urban Growth Inc		1559252 Ontario Limited

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-Law 354-2009
Zoning:	CA.24	Historical Status:	
Height Limit (m):	11	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1117	Height: Storeys:	3
Frontage (m):	30.5	Metres:	10
Depth (m):	37		
Total Ground Floor Area (sq. m):	611		Total
Total Residential GFA (sq. m):	1684.53	Parking Spaces:	24
Total Non-Residential GFA (sq. m):	784.54	Loading Docks	0
Total GFA (sq. m):	2469.07		
Lot Coverage Ratio (%):	55		
Floor Space Index:	2.2		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1684.53	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	193.69	590.85
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	8	Institutional/Other GFA (sq. m):	0	0
Total Units:	8			

CONTACT: PLANNER NAME: Jason Tsang, Assistant Planner
TELEPHONE: 416-392-4237