

10 - 76 Dryden Way (Formerly 4750 Eglinton Avenue West) – Part Lot Control Exemption Application – Final Report

Date:	May 18, 2016
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	16 128396 WET 04 PL

SUMMARY

This application requests an exemption from the Part Lot Control provisions of the *Planning Act* for the lands located at 10 – 76 Dryden Way (Formerly 4750 Eglinton Avenue West) in order to allow for the division of land to create conveyable parcels for the 68 townhouse units currently under construction. It will also allow for the creation of reciprocal easements for those lots which have side yard building setbacks of less than 1.2m.

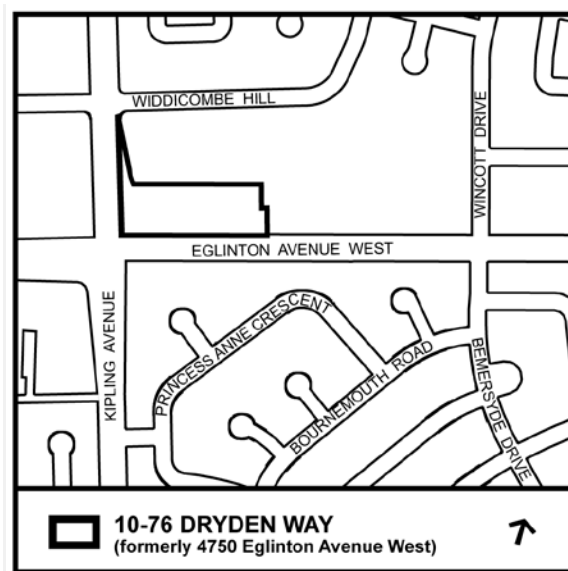
The proposal complies with the Official Plan and Zoning By-law. The lifting of Part Lot Control for a period of two years is considered appropriate for the orderly development of these lands.

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 10-76



- Dryden Way (Formerly 4750 Eglinton Avenue West) as generally illustrated on the plans in 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 Etobicoke Zoning Code was approved by City Council on July 11, 2014, resulting in the enactment of Zoning By-law No. 689-2014 to permit the development of the lands at 4750 Eglinton Avenue West as a residential subdivision consisting of 68 freehold townhouses and a new public road.

The Plan of Subdivision was registered on December 22, 2015 as Plan 66M-2528.

ISSUE BACKGROUND

Proposal

This application requests an exemption from the Part Lot Control provisions of the *Planning Act* to create separate, conveyable lots for 68 townhouse units and to create reciprocal easements for those lots having side yard building setbacks less than 1.2m. The reciprocal easements will allow uninhibited access rights to the rear yards of those lots having side yard building setbacks less than 1.2m.

Site and Surrounding Area

The site is located on the northeast corner of Kipling Avenue and Eglinton Avenue West and is currently under construction. This site was originally intended to be part of the planned Richview Expressway which was cancelled in the 1960's. The property was subsequently deemed surplus by the City and transferred to Build Toronto for development purposes in 2011, following approval of the Eglinton Crosstown Light Rail Transit Environmental Assessment. The land has subsequently been purchased by the applicant.

The site is approximately 1.37ha in size and generally rectangular in shape. It has a frontage of approximately 215m on Eglinton Avenue West and approximately 66m on Kipling Avenue. The site also contains a portion of land along the Kipling Avenue

frontage that runs northerly from the development lands for approximately 90m. The site slopes gradually from north to south towards Eglinton Avenue West.

Surrounding land uses are as follows:

North: Two eleven-storey apartment buildings on the south side of Widdicombe Hill with surface parking and an open landscaped area.

South: Across Eglinton Avenue West is a low rise residential neighbourhood with predominantly single-detached homes and townhouses.

East: Vacant lands owned by Build Toronto.

West: Across Kipling Avenue is a woodlot owned by City of Toronto.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Apartment Neighbourhoods* on Map 14 – Land Use Plan in the Official Plan. *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. This designation does not anticipate significant growth within these areas, however compatible infill development can be accommodated.

All land uses provided for by the *Neighbourhoods* designation are also allowed in *Apartment Neighbourhoods*. Townhouses are permitted in *Apartment Neighbourhoods*.

Section 4.2 of the Official Plan states that in these established *Apartment Neighbourhoods*, improving amenities and accommodating sensitive infill, where it can improve the quality of life and promote environmental sustainability, are key

considerations. *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* as providing for a greater scale of building and having different criteria to guide development.

This portion of Eglinton Avenue West is identified on Map 2 of the Official Plan as an *Avenue*. *Avenues* are corridors along major streets intended for incremental reurbanization to create new residential, commercial and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents.

The subject lands are also designated as a *Transit Priority Segment* on Map 5 of the Official Plan.

Zoning

At its meeting on July 11, 2014, City Council adopted Site Specific Zoning By-law No. 689-2014 amending the Etobicoke Zoning Code. The By-law permits 68 townhouse units within a new Plan of Subdivision.

Plan of Subdivision

The Plan of Subdivision was registered on December 22, 2015 as Plan 66M-2528. The Plan of Subdivision also allows for the development of a new public road.

Site Plan Control

The property is subject to site plan control. The Statement of Approval respecting the site plan control application was issued on December 23, 2015. A site plan control agreement for the development was registered on title on December 22, 2015 as Instrument No. AT4102881.

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 Provincial Policy Statement and conforms, and does not conflict, with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas, which helps provide healthy, liveable and safe communities. In this case, making efficient use of a site that is no longer required for public use.

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-2528. 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 the land use and performances standards established by Site Specific Zoning By-law No. 689-2014. 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 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

Ellen Standret, Planner

Tel. No. 416-394-8223

Fax No. 416-394-6063

E-mail: estandre@toronto.ca

SIGNATURE

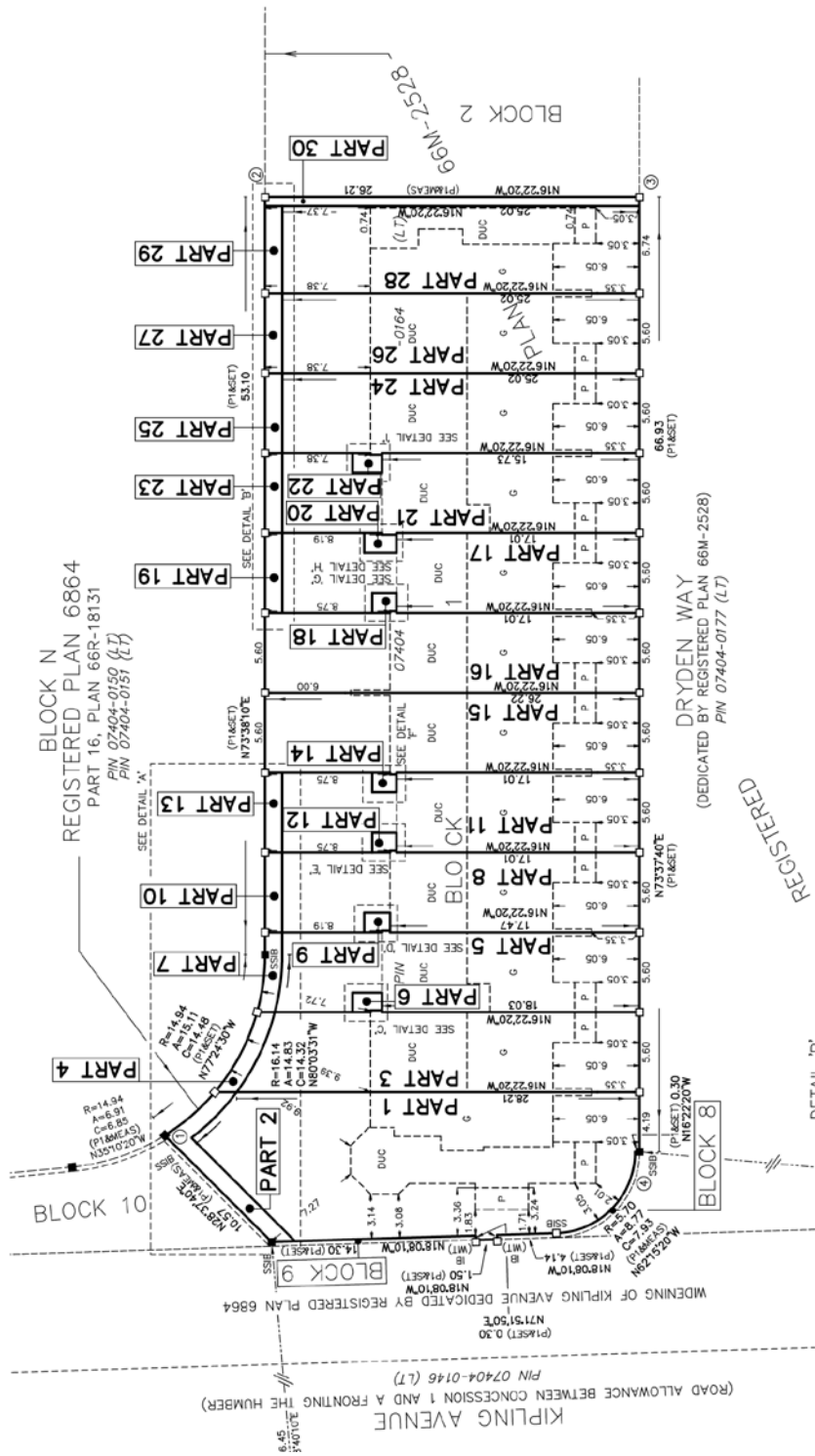
Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plans

Attachment 2: Application Data Sheet

Attachment 1: Part Lot Control Exemption Plans



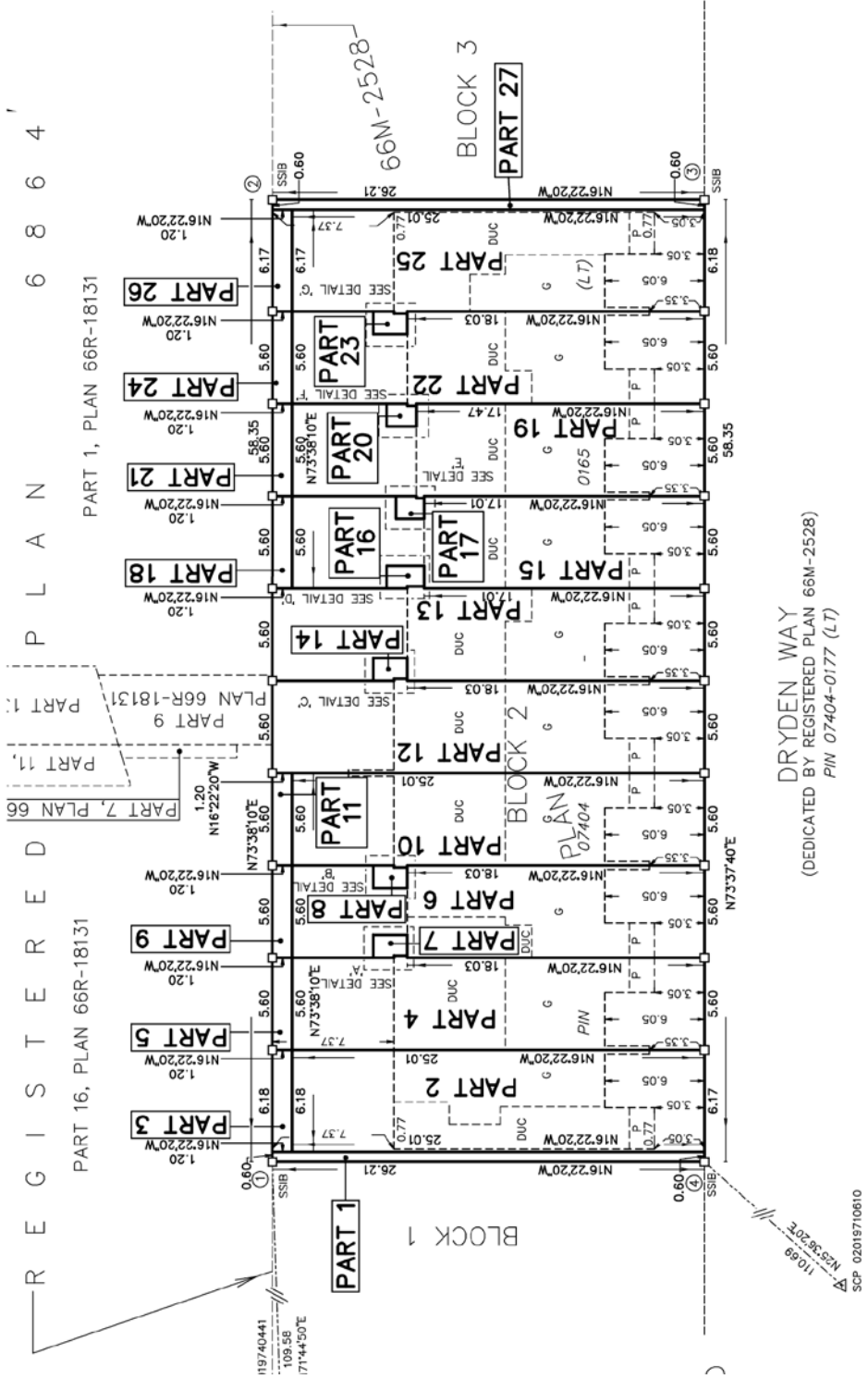
Registered Plan - Block 1

10-76 Dryden Way (formerly 4750 Eglinton Avenue West)

Applicant's Submitted Drawing

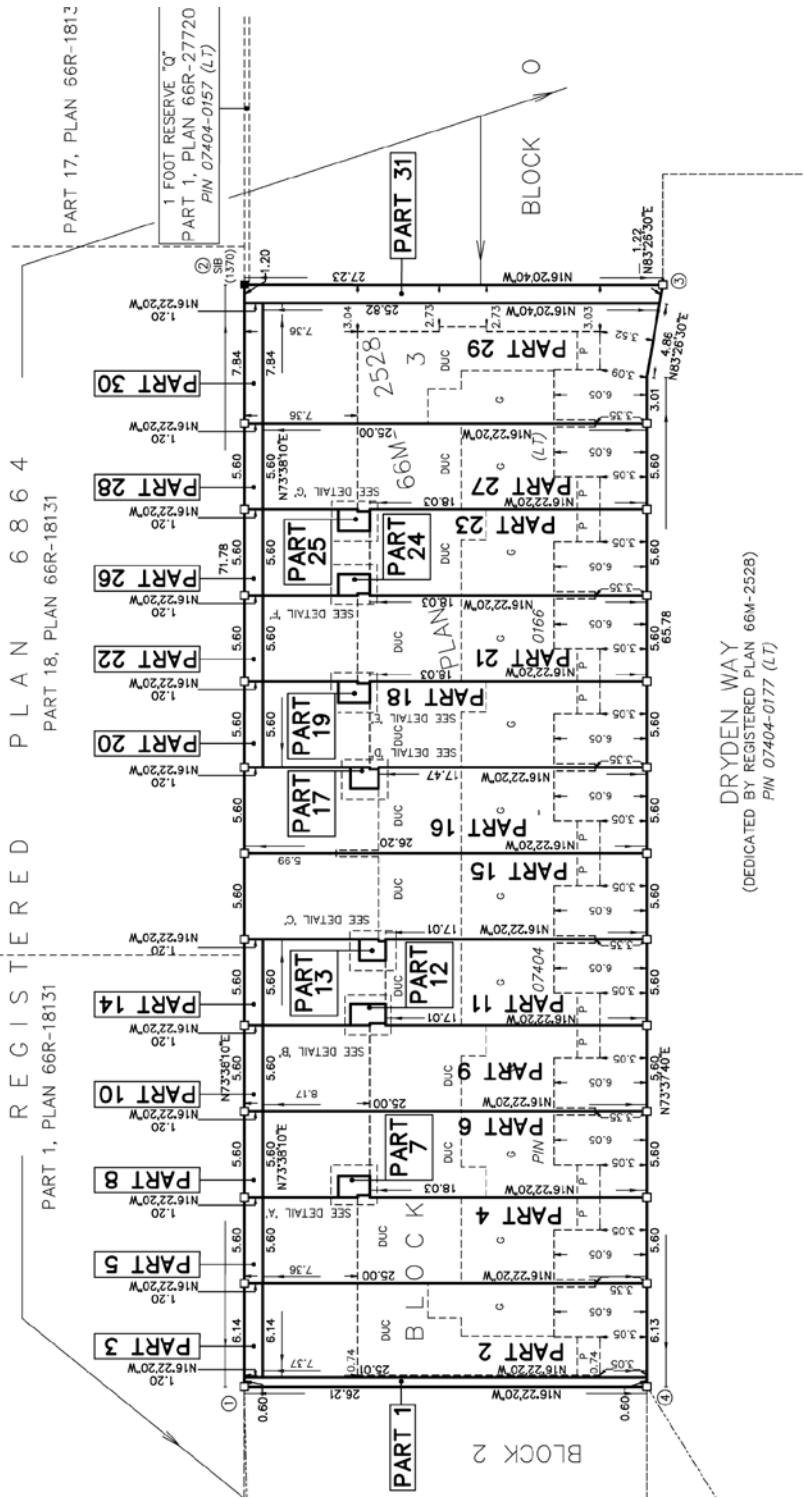
Not to Scale
 05/18/16

File # 16 126396 WET 04 PL



Registered Plan - Block 2
 Applicant's Submitted Drawing
 Not to Scale
 05/18/16

File # 16 128396 WET 04 PL



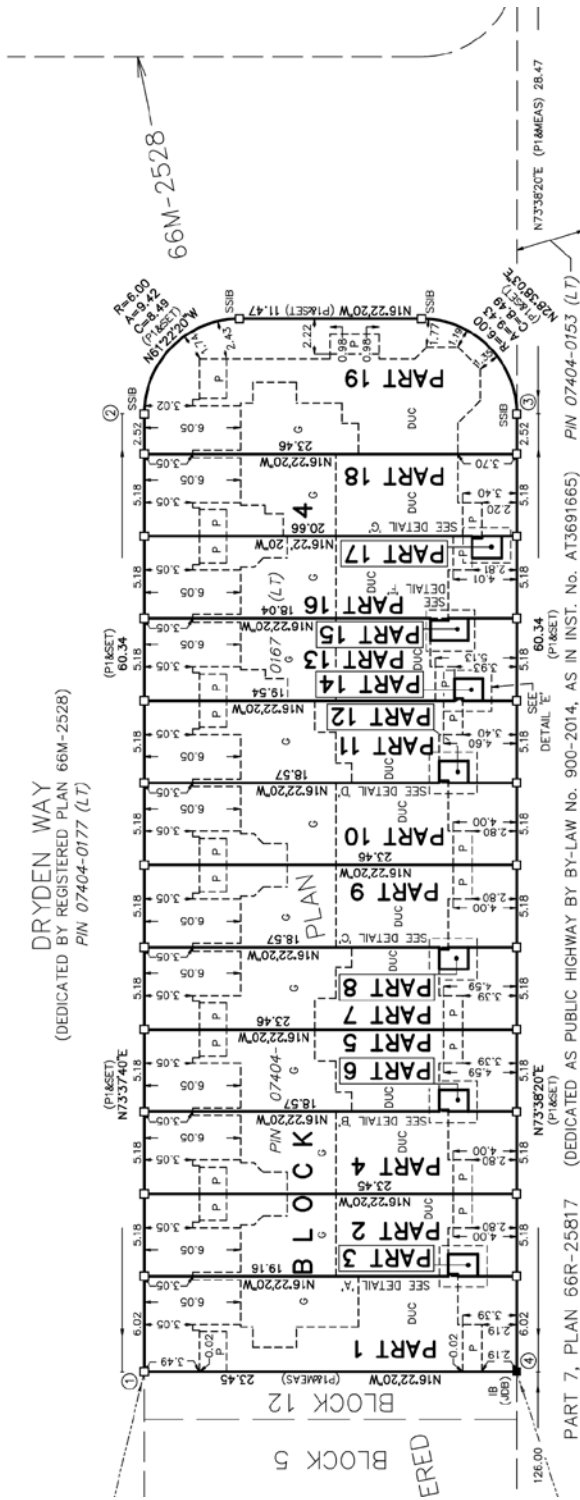
Registered Plan - Block 3

10-76 Dryden Way (formerly 4750 Eglinton Avenue West)

Applicant's Submitted Drawing

Not to Scale
05/18/16

File # 16 128396 WET 04 PL



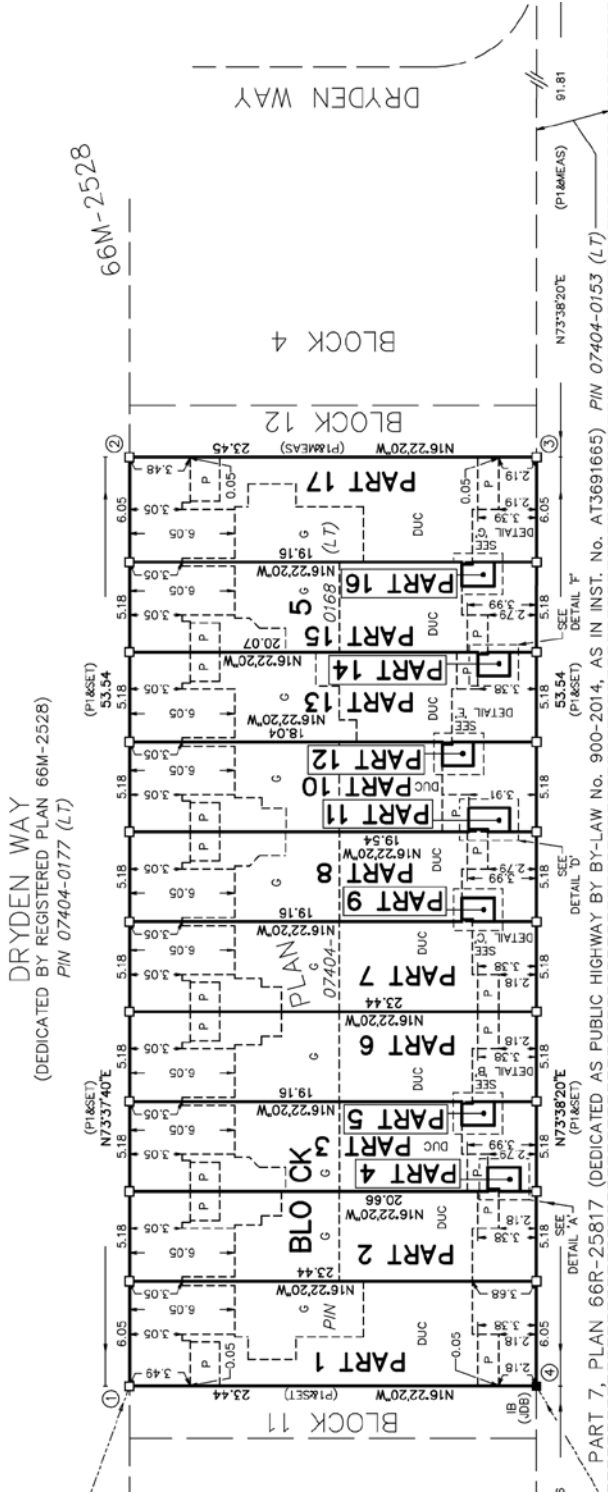
Registered Plan - Block 4

10-76 Dryden Way (formerly 4750 Eglinton Avenue West)

Applicant's Submitted Drawing

Not to Scale
05/18/16

File # 16 128396 WET 04 PL



PART 7, PLAN 66R-25817 (DEDICATED AS PUBLIC HIGHWAY BY BY-LAW NO. 900-2014, AS IN INST. NO. AT3691665) PIN 07404-0153 (LT)

(WIDENING OF RICHVIEW SIDE ROAD DEDICATED BY REGISTERED PLAN 6864)

Registered Plan - Block 5
10-76 Dryden Way (formerly 4750 Eglinton Avenue West)

Applicant's Submitted Drawing

Not to Scale
 05/18/16

File # 16 128396 WET 04 PL

Attachment 2: Application Data Sheet

Application Type	Part Lot Control	Application Number:	16 128396 WET 04 PL
Details	Part Lot Control Exemption	Application Date:	March 16, 2016

Municipal Address: 4750 EGLINTON AVE W
 Location Description: PLAN 6864 PT BLK O PT 1 FT RESERVE Q RP 66R26555 PARTS 1 AND 2 **GRID W0403
 Project Description: A Part Lot Control Exemption under the *Planning Act* to allow for the division of land to create conveyable parcels for 68 townhouses.

Applicant:	Agent:	Architect:	Owner:
HUNTER & ASSOCIATES LTD			NATIONAL HOMES (EGLINTON) INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision: N
Zoning:	R4	Historical Status: n/a
Height Limit (m):	n/a	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	13713	Height:	Storeys:	3
Frontage (m):	215		Metres:	12.3
Depth (m):	66			
Total Ground Floor Area (sq. m):	5977			Total
Total Residential GFA (sq. m):	13100		Parking Spaces:	136
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	13100			
Lot Coverage Ratio (%):	42.7			
Floor Space Index:	0.94			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	13100	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:	68	Institutional/Other GFA (sq. m):	0	0
Total Units:	68			

CONTACT: **PLANNER NAME:** **Ellen Standret, Planner**
TELEPHONE: **416-394-8223**

