

**315 – 325 Dalesford Road – Extension of By-law
603-2008 Exempting the Lands from Part Lot Control -
Final Report**

Date:	May 13, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke-York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	08 117017 WET 05 PL

SUMMARY

This application was made on March 6, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

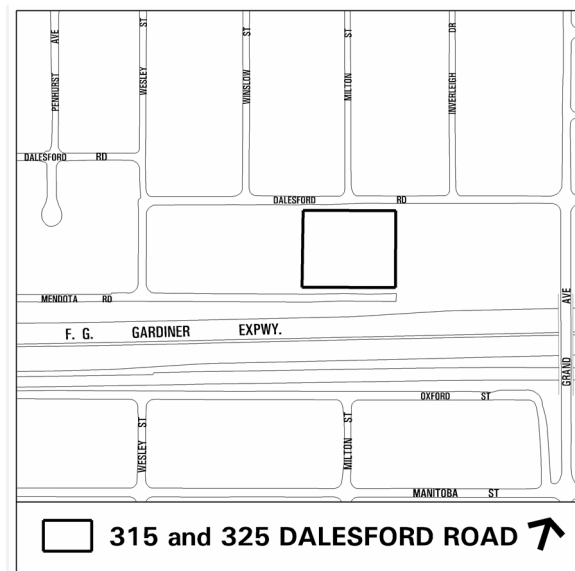
This report requests that By-law 603-2008 be extended for an additional one year period to allow the un conveyed lots formerly known as 315-325 Dalesford Road to be exempt from Part Lot Control thus allowing additional time for the conveyance of the unsold lots to individual purchasers.

This report reviews and recommends approval of the request.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a By-law to extend the term of By-law 603-2008 to allow the unsold lots formerly known as 315-325 Dalesford Road (Registered Plan M - 110, designated as parts 4, 13, 14, 24, 28, 30, 33, 37 and 39 on Reference Plan



- 66R - 23492) to be exempt from Part Lot Control for an additional one year period (see Attachment 1).
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.
 3. City Council authorize and direct the appropriate City Officials to register the By-law on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application to amend the former City of Etobicoke Zoning Code to permit townhouse units was approved during the July 16, 17, 18 and 19, 2007 meeting of City Council. The associated site plan was approved through delegated authority on January 8, 2008 and a site plan agreement was registered on title on September 19, 2008. The required land division for municipal roadway dedication and servicing easements was addressed through the Committee of Adjustment and a development agreement that was registered on title on September 12, 2008.

The project has been constructed and is compliant with those approvals.

On June 23rd and 24th, City Council adopted the motions of the Part Lot Control Exemption By-law report. By-law 603-2008 to exempt the lands municipally known as 315-325 Dalesford Road from Part Lot Control for a one year period was enacted on June 24, 2008 and will expire June 24, 2009.

ISSUE BACKGROUND

Proposal

The applicant originally requested exemption from Part Lot Control in order to create separate lots for the 39 freehold townhouse units. The units are proposed to be 3½ storeys in height. Thirteen townhouses have frontage on Dalesford Road, thirteen have frontage on Mendota Road and the remaining will have frontage on a new public road that has been secured through a Consent Agreement, as part of the consent application referred to above.

Nine townhouse units have remained unconveyed during the one year stipulation of By-law 603-2008 as approved by Council on June 24, 2008.

To allow for the conveyance of the remaining lots, an extension of the exemption from Part Lot Control is required which will allow the unsold lots (designated as Parts 4, 13, 14, 24, 28, 30, 33, 37 and 39 of Plan 66R-23492) to be sold and subdivided from the existing property (315-325 Dalesford Road).

COMMENTS

Section 50(7) of the Planning Act, R.S.O. 1990, authorizes Council to adopt a by-law exempting lands within a plan of subdivision from Part Lot Control. The subject properties are within a registered plan of Subdivision M-110. Thus, exemption from Part Lot Control may be employed as an effective means of further subdividing the lands. 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.

In order to ensure that Part Lot Control did not remain indefinitely By-law 603-2008 is to expire on June 24, 2009, one year from the date of its enactment. The applicant has advised that 9 townhouse units remain unconveyed and are unlikely to be conveyed prior to the expiration of the By-law. Thus, the applicant has requested that By-law 603-2008 be extended for an additional one year period to allow sufficient time for the dwelling units to be sold, closed and conveyed to the individual purchasers.

Staff has no objection to the request as the project is proceeding in an orderly manner.

CONTACT

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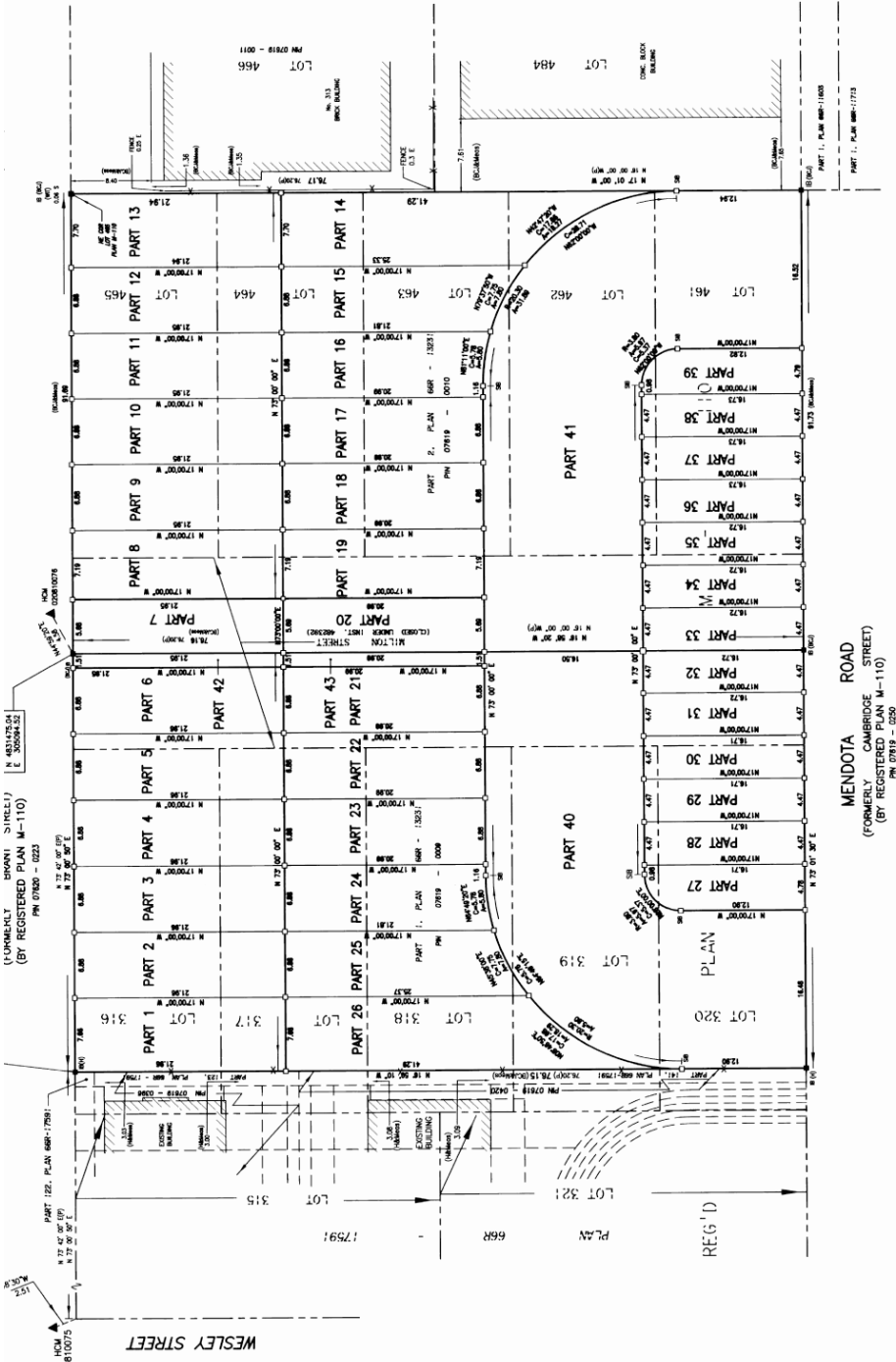
SIGNATURE

Gregg Lintern, MCIP, RPP, Director
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Part Lot Control Plan

Attachment 1: Part Lot Control Plan



315 - 325 Dalesford Road

Part Lot Control Plan

Applicant's Submitted Drawing

Not to Scale
05/13/09

File # 08_117017