

**93 - 115 National St, 123 - 127 National St, 82 and 87  
Jeanette St – Part Lot Control Application – Final Report**

<b>Date:</b>	April 28, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 36 – Scarborough Southwest
<b>Reference Number:</b>	09 115796 ESC 36 PL

**SUMMARY**

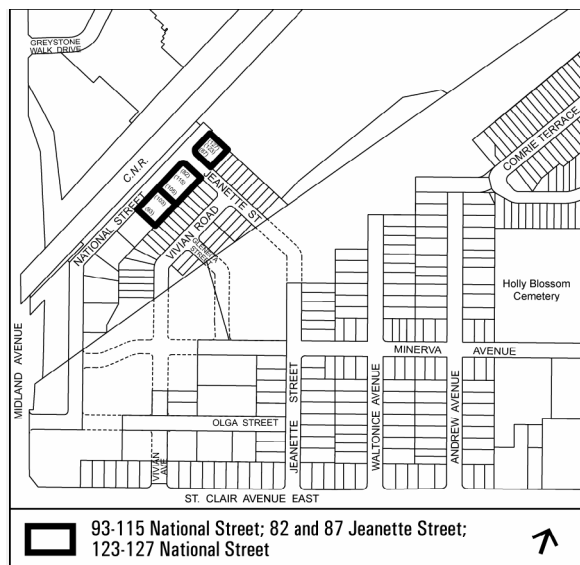
This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to lift part lot control on blocks 40, 41 and 42 of Phase 1 of Monarch Corporation’s Evergreen Subdivision to enable the separate conveyances of 17 townhouse units at 93 - 115 National Street, 123 -127 National Street and 82 and 87 Jeanette Street. This report recommends that a part lot control exemption by-law be enacted for a period of two years.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council enact a part lot control exemption by-law with respect to the subject lands as generally illustrated on Attachment 1, to be prepared to the satisfaction of the City Solicitor.



2. City Council authorize the City Solicitor to introduce any necessary Bills in Council for a part lot control exemption by-law to expire (2) years from the date of enactment.
3. 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 enactment of the part lot control exemption by-law.
4. City Council authorize and direct the City Solicitor to register the part lot control exemption by-law on title.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The subject lands are situated in the Phase 3 Scarborough Transportation Corridor (STC) Land Use Study area. The STC Study was approved by Council in 2004 with amendments to the former Scarborough Official Plan, modifications to the new Toronto Official Plan and a new community zoning by-law to allow residential development in this area. Urban design guidelines for future development were also adopted by Council.

The related Plan of Subdivision Approval Application 04 157926 ESC 36 SB and Zoning By-law Amendment Application 06 191014 ESC 36 OZ sought approval for development of this site including 132 residential units, parkland and two open space blocks for storm water management.

The plan of subdivision approval application was appealed to the Ontario Municipal Board (OMB). A settlement was reached between the owner and the City and the application was approved with conditions by the OMB in a decision issued on October 5, 2006. The subdivision is being developed in two phases.

By-law No. 335-2007 was approved by City Council on April 24, 2007, amending the former City of Scarborough Midland/St. Clair Community Zoning By-law 842-2004. This by-law addressed various items relating to building height, frontage and parking.

Phase 1 of the residential subdivision was registered September 30<sup>th</sup>, 2008. A site plan agreement for blocks 40 – 47 in the approved development was registered on title on October 23, 2008 as Instrument No. AT 1930447.

A part lot control exemption application for 26 townhouse units for Blocks 43 – 47 (39 – 91 National Street) was approved by Community Council on February 9, 2009 and registered on March 16, 2009.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant seeks exemption from part lot control in order to enable the division of land to create conveyable lots for the development of 17 townhouse dwellings (Attachment 1). This represents blocks 40 – 42 in the approved site plan and plan of subdivision currently under construction.

### **Site and Surrounding Area**

The overall subdivision is approximately 10.7 hectares (26.5 acres) and is situated between Midland Avenue and Brimley Road south of the CN rail line.

Blocks 40-42, the subject of this application, are within Phase 1 of this subdivision. They are approximately 0.37 hectares (0.92 acres) in area and are located along the south side of National Street both the east and west of Jeanette Street.

The CN Rail lands are located to the north and west of the development. There is also a storm water management pond west of the development. Single detached dwellings are under construction for the vacant lands to the south and east as part of the same plan of subdivision.

### **Official Plan**

The subject lands are designated Neighbourhoods in the Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwellings, triplexes, townhouses and walk-up apartments.

There is a site specific policy in the Official Plan for this area that limits the types of dwellings in the Neighbourhood designation to single-detached, semi-detached and townhouses, and requires that the Midland/St. Clair Urban Design Guidelines be used when assessing development applications in the area. The townhouse design was approved through the site plan agreement.

### **Zoning**

This area is zoned S - Single-Detached Residential, SD - Semi-Detached Residential and ST - Townhouse Residential and is within the Midland/St. Clair Community Zoning By-law (see Attachment 2). The zoning permits single-detached dwellings on lots with minimum frontages of 9 metres (29.5 feet), semi-detached dwellings on lots with minimum frontages of 7.5 metres (24.6 feet), and townhouse dwellings on lots with minimum frontages of 6 metres (19.6 feet).

### **Site Plan Control**

Townhouse dwellings in the plan of subdivision are subject to site plan control. A site plan for this area was approved on October 23, 2008.

## **Reasons for Application**

A part lot control application is required in order to facilitate the creation of 17 separate lots within the approved subdivision and as shown on the approved site plan.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. No issues were identified as a result of the circulation.

## **COMMENTS**

Section 50(7) of the Planning Act, R.S.O. 1990, authorizes Council to adopt a by-law exempting lands within a registered plan of subdivision from part lot control. The release of part lot control would allow for the creation of each lot. In order to ensure that part lot control is not lifted indefinitely, it is recommended that the exempting by-law expire two years after being enacted.

The lifting of part lot control on the subject lands and the proposed by-law will enable the sale of the individual lots in a manner that fully complies with the Official Plan, zoning, and is considered appropriate for the orderly development of the lands.

## **CONTACT**

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## **SIGNATURE**

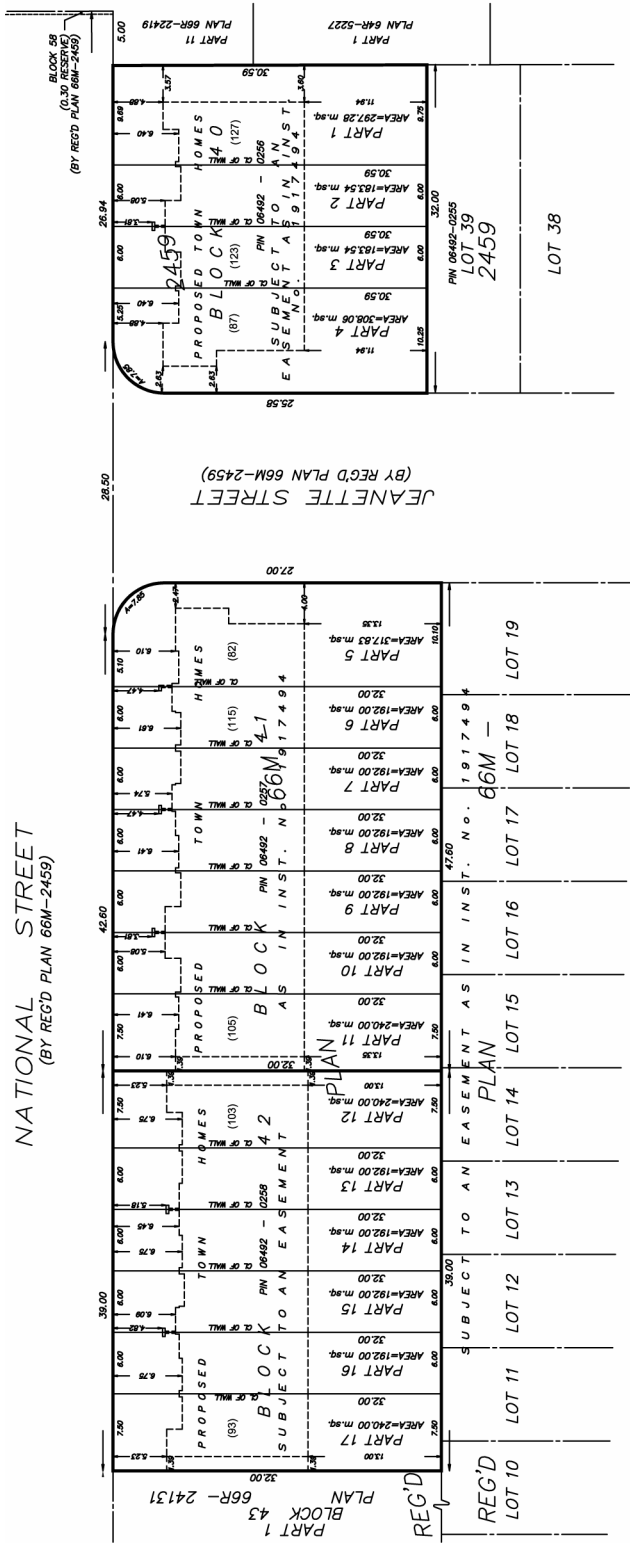
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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Part Lot Control Exemption  
Attachment 2: Zoning  
Attachment 3: Application Data Sheet

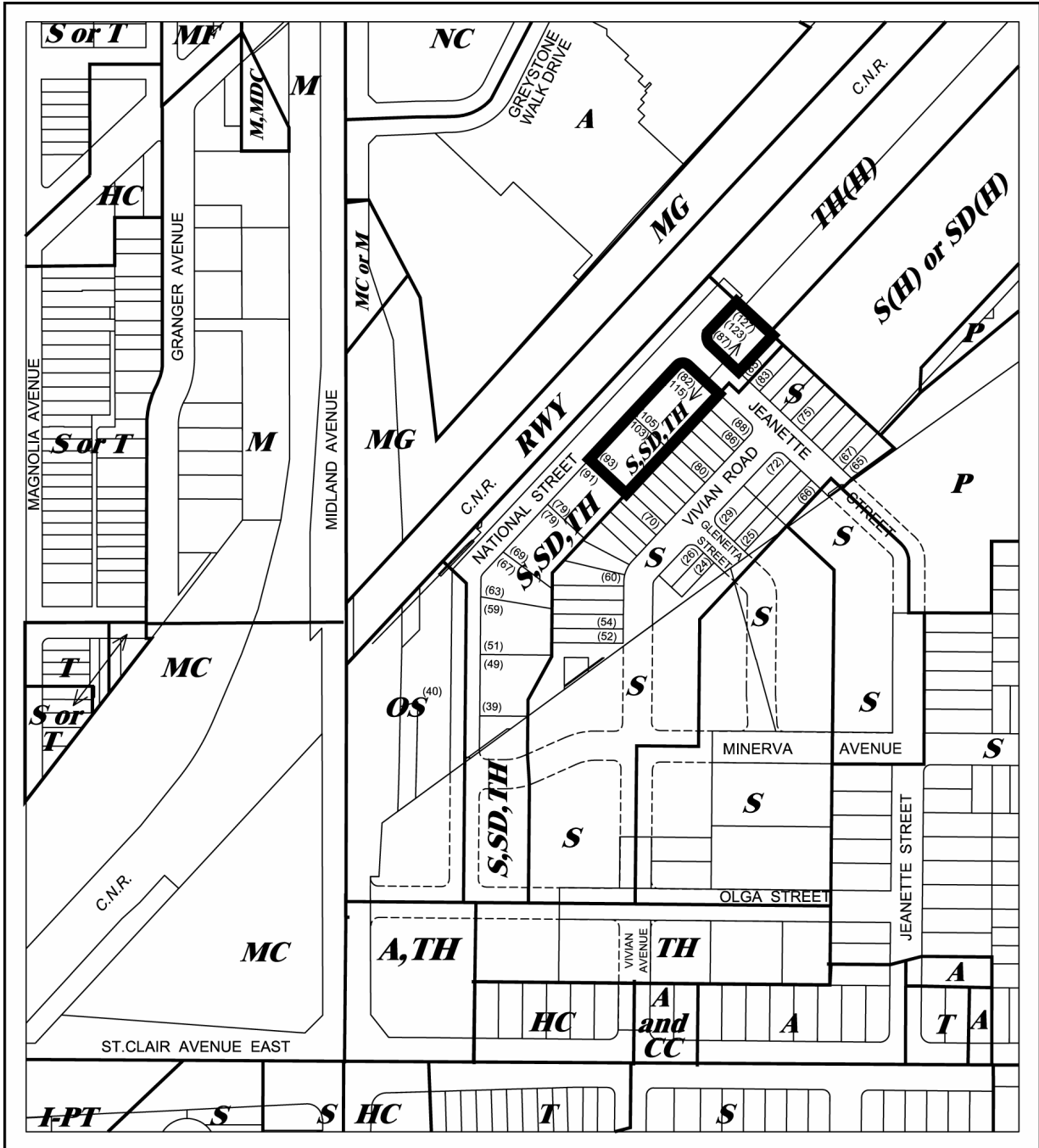
# Attachment 1: Part Lot Control Exemption



**Part Lot Control Exemption** 93-115 National Street; 82 and 87 Jeanette Street; 123-127 National Street  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/25/09

File # 09-115796 PL

## Attachment 2: Zoning



**TORONTO** City Planning Division  
**Zoning**

93-115 National Street; 82 and 87 Jeanette Street; 123-127 National Street

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<b>S</b> Single Family Residential	<b>A</b> Apartment Residential	<b>OS</b> Open Space	<b>(H)</b> Holding Provision	Cliffcrest, Cliffside, Kennedy Park,
<b>T</b> Two Family Residential	<b>I</b> Institutional Uses	<b>NC</b> Neighbourhood Commercial	<b>M</b> Industrial Zone	Midland / St. Clair, Eglinton
<b>SD</b> Semi-Detached Residential	<b>I-PT</b> Institutional Uses- Public Transit	<b>CC</b> Community Commercial	<b>MC</b> Industrial Commercial Zone	Comm.'s; Birchmount Park,
<b>TH</b> Townhouse Residential	<b>PW</b> Placel(s) of Worship	<b>HC</b> Highway Commercial	<b>MG</b> General Industrial Zone	Knob Hill Emp. By-laws
<b>MF</b> Multiple-Family Residential	<b>P</b> Park	<b>RWY</b> Railway Zone	<b>MDC</b> Industrial DistrictCommercial Zone	↑ Not to Scale 03/25/09

