

City Council

Motion without Notice

MM54.35	ACTION			Ward:16
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Application for Part Lot Control Exemption - 486 Lytton Boulevard and 2675-2681 Bathurst Street - by Councillor Karen Stintz, seconded by Councillor Josh Colle

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Karen Stintz, seconded by Councillor Josh Colle, recommends that:

1. City Council adopt the following Recommendations in the report (June 30, 2014) from the Chief Planner and Executive Director, City Planning:
 1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 486 Lytton Blvd and 2675 – 2681 Bathurst St as generally illustrated on Attachment 1 to report dated June 30, 2014, to be prepared to the satisfaction of the City Solicitor and to expire two years following enactment by City Council.
 2. The seven lots that will be subject to Part Lot Control are part of Lots 105 and 127, and part of Block B on Plan 1611 designated as Parts 2 through 8 on Plan 66R-26203.
 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 the 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.
 5. 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.

6. Prior to the introduction of the Part Lot Control Exemption Bill, City Council require the owner to register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act agreeing not to transfer or mortgage any part of the lands without the written consent of the Chief Planner or her designate.
7. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from title after confirmation that an easement over a portion of the lot described as Part of Lot 127 and Part of Block B, Plan 1611, designated as Part 1 on Plan 66R-26203, for purposes of the maintenance of the storm water sewer running from the common elements roadway across these lands to connect into the storm water outflow on Bathurst Street, is transferred to the common element condominium corporation.

Summary

An application was submitted to the City on March 19, 2014, to lift part-lot control for part of the lands municipally known as 486 Lytton Boulevard and 2675-2681 Bathurst Street to permit seven remaining lots to be conveyed as freehold lots. The lands were previously exempt from part-lot control under By-law No. 97-2012, and two of the nine proposed townhouse lots were conveyed to the public. This By-law expired on January 17, 2014.

The current application to lift part lot control is required to permit the remaining lots to be conveyed. Presently, members of the public that have entered into agreements of purchase and sale for the transfer of some of the lots are living in the dwellings as tenants. Closing dates have passed and there is urgency on having the transfers occur as soon as possible.

A report from the Chief Planner, Executive Director, City Planning Division dated June 30, 2014, has been prepared recommending approval of the part lot control exemption application once certain conditions are satisfied.

This matter is deemed urgent as closing dates for the sales of some of the lots to the general public have passed.

(Submitted to City Council on July 8 and 9, 2014 as MM54.35)

Background Information (City Council)

Member Motion MM54.35

(June 30, 2014) Report from the Chief Planner and Executive Director, City Planning on Part Lot Control Exemption Application - 486 Lytton Boulevard and 2657-2681 Bathurst Street