

1, 6, 17, 19, 21, 27, 29, 31, 33 and 35 Isaac Devins Boulevard (Lots 16, 17 and 21 to 27 on Registered Plan of Subdivision 66M-2503) – Extension of Part Lot Control Exemption – Final Report

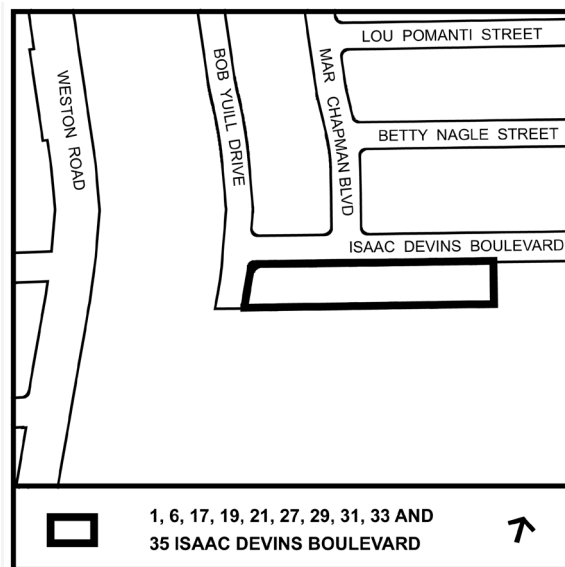
Date:	April 26, 2016
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 7 – York West
Reference Number:	P:\2016\Cluster B\PLN\City Council\CC16064

SUMMARY

This application requests an amendment to By-law 399-2014 to provide for an extension of part lot control exemption for an additional year with respect to the subject lands at 1, 6, 17, 19, 21, 27, 29, 31, 33 and 35 Isaac Devins Boulevard (Lots 16, 17 and 21 to 27 on Registered Plan of Subdivision 66M-2503). The extension would only apply to lots which are still under construction or have not yet been conveyed to the individual purchasers. The exemption from the Part Lot Control provisions of the *Planning Act* would permit the creation of conveyable lots for the development of 10 detached dwelling units.

The proposal complies with the Official Plan and Zoning By-law. The extension of the expiry of the part lot control exemption for an additional year is considered appropriate for the orderly development of these lands.

This report reviews and recommends approval of the extension to the expiry of the Part Lot Control exemption.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend By-law 399-2014 to extend the expiration of part lot control exemption until May 8, 2017 with respect to the lands municipally known as at 1, 6, 17, 19, 21, 27, 29, 31, 33 and 35 Isaac Devins Boulevard (Lots 16, 17 and 21 to 27 on Registered Plan of Subdivision 66M-2503).
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 By-law extending part lot control exemption.
3. City Council authorize and direct the City Solicitor to register the By-law extending part lot control exemption on title.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An amendment to the former City of North York Official Plan, to permit the residential redevelopment of the lands formerly known as 3035 Weston Road, was approved by the Ontario Municipal Board on July 8, 2008 (OPA No. 573 to the former City of North York Official Plan). On September 30, 2010 the Ontario Municipal Board approved modifications to the new City of Toronto Official Plan associated with the redevelopment of the former industrial lands for residential uses.

An amendment to former City of North York Zoning By-law No. 7625 was approved by the Ontario Municipal Board on July 3, 2012 (By-law No. 1657-2012 (OMB)) providing for the redevelopment of the former industrial lands for residential uses.

The Plan of Subdivision that created semi-detached Lots 16 to 27 (1 to 47 Isaac Devins Boulevard), among other lots in the residential subdivision of the lands formerly known as 3035 Weston Road, was registered on January 13, 2013 (Plan 66M-2503).

A further amendment to former City of North York Zoning By-law No. 7625 to permit the development of 18 detached dwellings, in lieu of the 24 semi-detached dwelling units permitted under By-law No. 1657-2012 (OMB), at 1 to 47 Isaac Devins Boulevard was approved by City Council on February 19, 2014, resulting in the enactment of Zoning By-law No. 90-2014.

On May 8, 2014 City Council enacted By-law No. 399-2014 to exempt the lands municipally known as 1 to 47 Isaac Devins Boulevard (Lots 16 to 27 on Registered Plan of Subdivision 66M-2503) from the Part Lot Control provisions of the *Planning Act* to permit the creation of conveyable lots for the development of 18 detached dwellings. Part Lot Control exemption was granted for a two year period ending on May 8, 2016.

ISSUE BACKGROUND

Proposal

This application proposes a one year extension to Part Lot Control Exemption By-law No. 399-2014 with respect to the subject lands at 1, 6, 17, 19, 21, 27, 29, 31, 33 and 35 Isaac Devins Boulevard (Lots 16, 17 and 21 to 27 on Registered Plan of Subdivision 66M-2503). The extension would only apply to lots which are still under construction or have not yet been conveyed to the individual purchasers. The exemption from the Part Lot Control provisions of the *Planning Act* would permit the creation of conveyable lots for the development of 10 detached dwelling units.

For more information, refer to Attachment 1: Part Lot Control Exemption Plan.

Site and Surrounding Area

The subject lands are part of a larger subdivision of lands formerly known as 3035 Weston Road, which is currently under construction. The subdivision is located east of Weston Road, south of Sheppard Avenue West and north of Starview Lane. The subdivision is rectangular in shape and is approximately 5.15 ha in size.

Surrounding uses include:

- North: Residential subdivision (formerly known as 2277-2295 Sheppard Avenue West) with a retail block at the northeast corner.
- East: Canadian Pacific Railway tracks and industrial lands with warehouse uses beyond.
- South: St. Basil the Great College Secondary School and detached and semi-detached dwellings.
- West: Detached dwellings and the Humber River Valley system beyond.

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 *Neighbourhoods* in the Official Plan. *Neighbourhoods* are physically stable areas providing for a variety of lower scale residential uses, such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including patterns of streets, blocks and lanes, parks and public building sites, the size and configuration of lots, prevailing building type(s), setbacks of buildings from the street, prevailing patterns of rear and side yard setbacks and landscaped open space. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Zoning

In accordance with the established protocol, the lands were excluded from the new City of Toronto Zoning By-law No. 569-2013 as the associated Zoning By-law Amendment application (File No. 13 142592 WET 07 OZ) was deemed to be a complete application prior to the passage of the Zoning By-law. As such, former City of North York Zoning By-law No. 7625 continues to apply to the lands. The subject lands are zoned R7(19), which permits detached dwellings on lots having a minimum lot area of 265 m² and having a minimum lot depth of 29.5 m.

Site Plan Control

The proposed development for detached dwellings is not subject to Site Plan Control under City of Toronto By-law No. 774-2012.

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 PPS. The proposal also conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The lifting of Part Lot Control from the subject lots and blocks allows for the orderly development of lands within this new neighbourhood.

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-2503. 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 Zoning By-law. The Part Lot Control Exemption application was circulated to various Divisions and agencies for comment and no issues were identified.

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 one year following enactment by City Council. This time frame would provide sufficient time for the completion of the proposed development.

CONTACT

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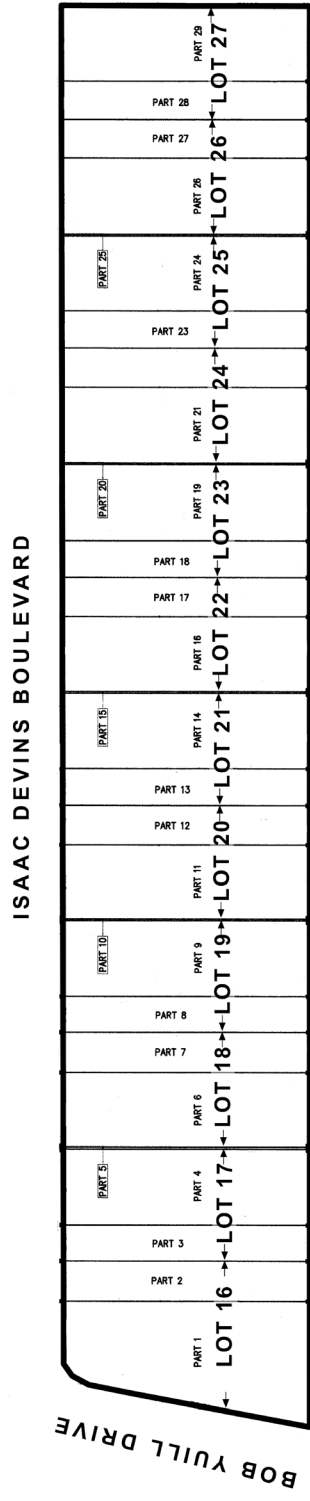
SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plan

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**1, 6, 17, 19, 21, 27, 29, 31
33 and 35 Isaac Devins Boulevard**
File # 16 126597 WET 07 PL

Part Lot Control Exemption Plan
Applicant's Submitted Drawing
Not to Scale
04/15/2016