

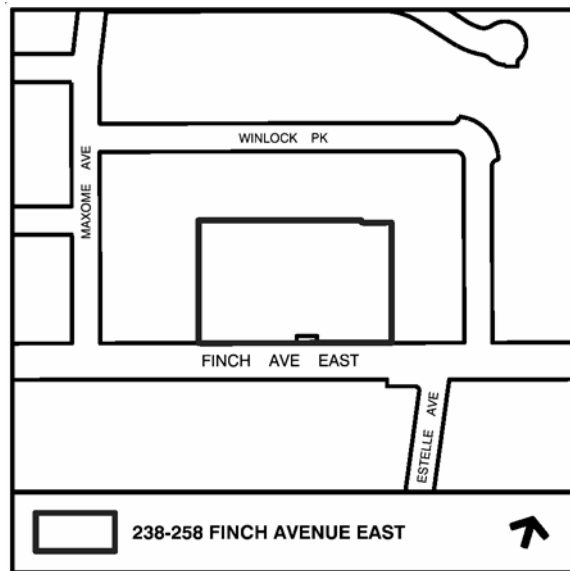
**238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East - Part Lot Control Exemption Application – Supplementary Report**

<b>Date:</b>	August 31, 2016
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	16 156207 NNY 24 PL & 16 178708 NNY 24 PL

**SUMMARY**

The Final Report, dated August 10, 2016 from the Director, Community Planning, North York District, recommends approval of the Part Lot Control Exemption Application to allow for the division of 8 blocks which will create a total of 58 townhouse dwellings for individual ownership.

This supplementary report responds to comments received from Engineering and Construction Services regarding confirmation of the location of as-built service connections for each proposed individual lot. This report recommends that the owner of the lands be required to register a Section 118 Restriction under the *Land Titles Act* agreeing not to convey or mortgage any part of the lands without prior consent of the Chief Planner or her designate.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Prior to introduction of the Part Lot Control Exemption Bill, City Council require the applicant to provide a survey to the satisfaction of the Executive Director, Engineering and Construction Services confirming that the services for all proposed lots are wholly within the lot boundaries, or the Owner shall register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the *Land Titles Act* agreeing not to transfer or charge any part of the lands without the written consent of the Chief Planner or her designate.
2. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction as may be registered on title pursuant to Recommendation 1 above, when:
  - a. The applicant submits a survey to the satisfaction of the Executive Director, Engineering and Construction Services confirming that the services for all proposed lots are wholly within the lot boundaries; or
  - b. If the services are not wholly within the boundary of each lot being created:
    - i. The Owner shall relocate the services and submit a survey confirming that the services for all proposed lots are wholly within the lot boundaries, to the satisfaction of the Executive Director, Engineering and Construction Services; or
    - ii. Satisfactory arrangements have been made with the Executive Director, Engineering and Construction Services and the City Solicitor to ensure that necessary easements are being created for access to the services that are not within the boundary of each newly created lot.

### Financial Impact

The recommendations in this report have no financial impact.

### DECISION HISTORY

A Final Report, dated August 10, 2016 was prepared for the September 12, 2016 meeting of North York Community Council.

The staff report can be found here:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-95242.pdf>

Staff Report for Action – Supplementary Report - Part-Lot Control – 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East

## **ISSUE BACKGROUND**

As per Engineering and Construction Services comments of July 19, 2016 and August 11, 2016, the applicant must provide a draft survey plan of the proposed lots which shows the as-built services connections for each respective lot to confirm that the services are located within the boundaries of each individual lot.

In this instance, the Section 118 Restriction is being used to ensure that the services are either within the boundaries of the newly created lots or necessary easements over adjacent lots are created.

## **CONTACT**

Jason Brander, Planner  
Tel. No. (416) 395-7124  
Fax No. (416) 395-7155  
E-mail: jbrande@toronto.ca

## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District