

**270-280 McLevin Avenue – Part Lot Control Exemption Application – Final Report**

<b>Date:</b>	April 19, 2016
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	16 123838 ESC 42 PL

**SUMMARY**

This application requests an exemption from the Part Lot Control provisions of the *Planning Act* for the lands located at 270-280 McLevin Avenue, to allow for the division of land to create separately conveyable parcels for 6 townhouse dwelling units currently under construction.

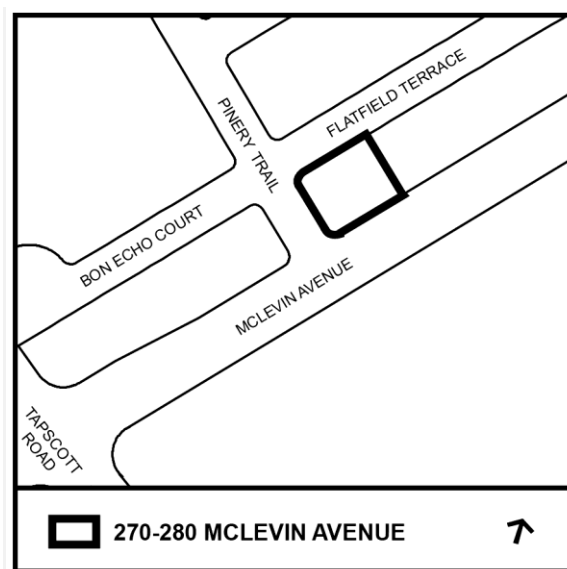
The proposal complies with the Official Plan and Zoning by-law. The lifting of Part Lot Control for a period of two years is considered appropriate for the orderly development of these lands.

This report reviews and recommends approval of Part Lot Control Exemption.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 270-280 McLevin Avenue, as generally illustrated on Attachment 1, to the report dated April 19, 2016 to be prepared to the satisfaction of the City Solicitor and to expire two



- years following enactment by City Council.
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 Part Lot Control Exemption By-law.
  3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.
  4. 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.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **Site Plan Control**

The property is subject to site plan control. A site plan agreement was registered on title on October 8, 2015. Final site plan approval for the development was issued by the Director, Community Planning, Scarborough District on October 28, 2015.

### **Minor Variances**

A minor variance application (File No. A083/16SC) was approved by the Committee of Adjustment on April 14, 2016 to permit each of the six townhouse lots to have a minimum lot frontage of 6 metres and a minimum lot area of 204 square metres. The required 20 day appeal period ends on May 4, 2016.

## **ISSUE BACKGROUND**

### **Proposal**

This application requests exemption from the Part Lot Control provisions of the Planning Act to create separate, conveyable (freehold) lots for six townhouse units which are currently under construction. Two of the townhouse units will have 3 bedrooms, three units will have 4 bedrooms and one unit will have 5 bedrooms. All of the townhouse units front onto McLevin Avenue and back onto Flatfield Terrace. Each townhouse unit will have an attached single car garage that is accessible from Flatfield Terrace.

### **Site and Surrounding Area**

The subject lands are within the Malvern Community and are located on the north-west side of McLevin Avenue, east of Pinery Trail and south of Flatfield Terrace (please see Key Map). The site is approximately 1,369.3 square metres (0.13 ha) in area and has approximately 34.6 metres of frontage on McLevin Avenue, approximately 35.5 metres of frontage on Flatfield Terrace and approximately 23.45 metres of frontage on Pinery Trail.

Abutting uses include:

North: Rear yards of an established residential neighbourhood comprised of mainly two storey, semi-detached dwellings on the north side of Flatfield Terrace.

South: One storey commercial plaza (Malvern Town Centre) on the south side of McLevin Avenue.

East: Two storey townhouses located between McLevin Avenue and Flatfield Terrace.

West: Two storey townhouses on the west side of Pinery Trail, located between McLevin Avenue and Bon Echo Court.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. 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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe

## **Official Plan**

The Official Plan designates the subject site *Neighbourhoods*. Development in established *Neighbourhoods* will respect, reinforce and "fit" the existing physical character of the neighbourhood, including in particular: the size and configuration of lots; prevailing building types; and setback of buildings from the street or streets.

The proposed street townhouse development fits with the existing physical character of the neighbourhood.

## **Zoning**

The site is zoned Street Town House Residential (ST) in the Malvern Community Zoning By-law No. 14402, as amended, which permits correctional group homes, group homes, semi-detached dwellings, single family dwelling, and street townhouse dwellings.

The site is also part of the new City of Toronto Zoning By-law No. 569-2013, as amended. The property is zoned Residential Townhouse Zone (RTx107) which permits dwelling units within a detached house, semi-detached house, and townhouse. Exception

107, among other matters, states that the minimum lot frontage and area is that which existed on the day of the enactment of the by-law. Given this restriction, the applicants have applied for minor variances as noted earlier in this report to reduce the required frontage and area in order to permit the creation of 6 separately conveyable lots.

The proposed street townhouses are permitted under both Zoning By-laws.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate draft plan approval conditions of approval.

### **COMMENTS**

#### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

#### **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 a registered plan of subdivision. 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.

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 two years following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development.

### **CONTACT**

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### **SIGNATURE**

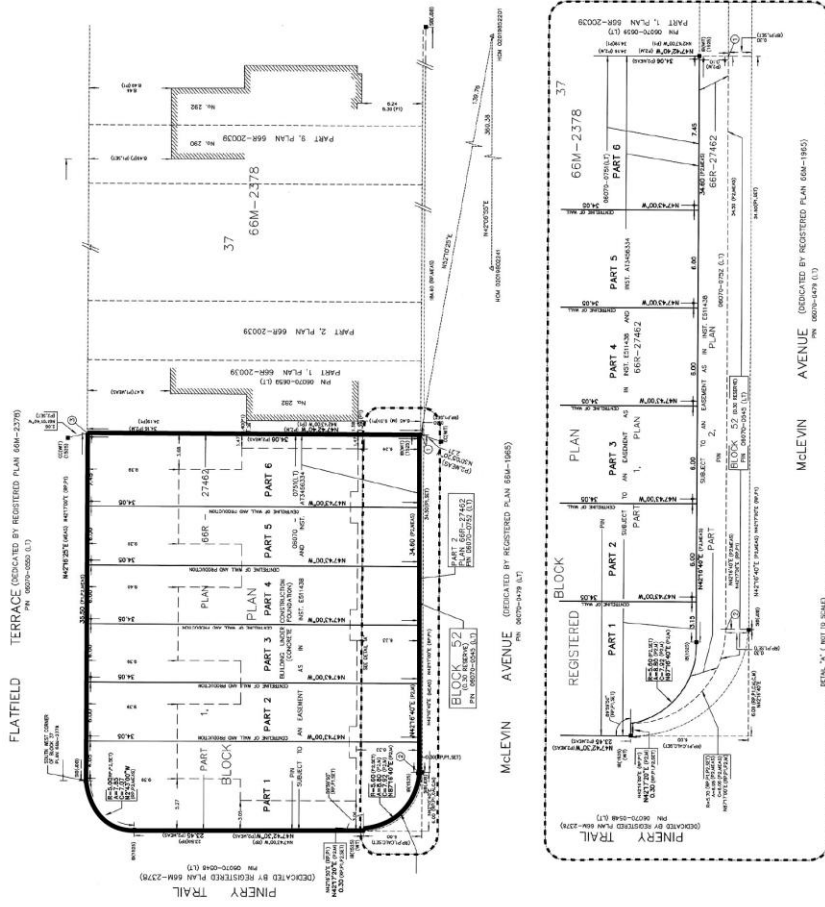
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Paul Zuliani, Acting Director  
Community Planning, Scarborough District

### **ATTACHMENTS**

Attachment 1: Part Lot Control Exemption Plan  
Attachment 2: Application Data Sheet

# Attachment 1: Part Lot Control Exemption Plan



270-280 McLevin Avenue

Site Plan

Applicant's Submitted Drawing

Not to Scale  
3/18/16

File # 16 123838 ESC 42 PL

## Attachment 2: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Number:	16 123838 ESC 42 PL
Details		Application Date:	March 4, 2016

Municipal Address: 0 MCLEVIN AVE (270 – 280 McLevin Ave)  
 Location Description: PLAN 66M2378 PT BLK 37 \*\*GRID E4205  
 Project Description: Request for part lot control exception to divide the subject land into six parcels each containing one freehold townhouse unit - 270-280 McLevin Ave

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
HABITAT FOR HUMANITY TORONTO INC.			HABITAT FOR HUMANITY TORONTO INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N/A
Zoning:	ST (Malvern), RT - x107	Historical Status:	
Height Limit (m):	12 m	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1384	Height:	Storeys:	2
Frontage (m):	34.6 (McLevin Ave) 35.5 (Flatfield Terrace) 23.45 (Pinery Trail)		Metres:	Approx. 9 m
Depth (m):	34			
Total Ground Floor Area (sq. m):	567.48			<b>Total</b>
Total Residential GFA (sq. m):	1211.92		Parking Spaces:	12 (includes garage)
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1211.92			
Lot Coverage Ratio (%):	41			
Floor Space Index:	0.88			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	1211.92	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	6	Institutional/Other GFA (sq. m):	0	0
Total Units:	6			

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