

111 Plunkett Road – Part Lot Control Exemption – Decision Report – Approval

Date: August 29, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 7 - Humber River-Black Creek

Planning Application Number: 23 137324 WET 07 PL

SUMMARY

This application is requesting exemption from the Part Lot Control provisions of the *Planning Act* for the lands municipally known as 111 Plunkett Road, formerly known as 135 Plunkett Road. The purpose of this application is to facilitate the creation of 42 separately conveyable parcels, each containing one semi-detached residential dwelling unit. The remainder of the subdivision, including the existing public right-of-way, public walkway, and separate development block (Phase 2, currently addressed as 135 Plunkett Road) would remain unchanged.

The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2020), and conforms to the Official Plan. The lifting of Part Lot Control is appropriate for the orderly development of these lands into a residential community with 42 semi-detached houses, as determined through the June 28, 2019 Local Planning Appeal Tribunal (LPAT), now known as the Ontario Land Tribunal (OLT), approval of the zoning by-law amendment (13 162096 WET 07 OZ) and subdivision (13 162112 WET 07 SB) applications for the subject lands.

Pursuant to these approvals, 21 residential parcels currently exist on-site. Each of these parcels contains the foundations of two semi-detached residential dwellings, for a total of 42 units. Now that the foundations are laid and the exact division line is surveyable between each unit, the applicant has come forward with this application for Part Lot Control Exemption. Provisions have already been made for adequate servicing, infrastructure, and the public right-of-way to serve the 42 homes within the subdivision area through the review of previous *Planning Act* applications.

This report reviews and recommends approval of the Part Lot Control Exemption By-law to be in effect for a maximum of two years. We anticipate that the development of the subject lands will be fully complete within the two year time period that this Part Lot Control Exemption By-law is in effect.

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York District recommends that:

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 111 Plunkett Road, substantially-in-accordance with the Draft Part Lot Control Exemption By-law attached as Attachment 3, and as generally illustrated on the Part Lot Control Exemption Plan, Attachment 2, to be prepared to the satisfaction of the City Solicitor and to expire two years following enactment by City Council.
2. Prior to the introduction of the Part Lot Control Exemption Bill for enactment, City Council require the owner to:
 - a. provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor; and
 - b. provide a final Zoning Notice issued by the Toronto Building Division confirming that the 42 parcels comply with the applicable zoning, to the satisfaction of the Chief Planner and Executive Director, City Planning.
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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

The applicant appealed the zoning by-law amendment (13 162096 WET 07 OZ) and subdivision (13 162112 WET 07 SB) applications for the subject site to the Local Planning Appeal Tribunal (LPAT) due to the failure of the City to make a decision within the specified timeframe. The LPAT issued their final Order for approval of the zoning by-law amendment and subdivision applications on June 28, 2019, and directed the City to work through the conditions of approval towards the registration of the subdivision, which occurred on June 12, 2022.

PROPOSAL

This application seeks exemption from the Part Lot Control provisions of the *Planning Act* to facilitate the creation of 42 separately conveyable parcels as illustrated in Attachment 2: Part Lot Control Exemption Plan, allowing for separate financing and registering of mortgages on the parcels and their units.

The purpose of this report is to recommend approval of the application and request that City Council enact a By-law to lift Part Lot Control for the lands, subject to conditions.

Site and Surrounding Area

The site is located southeast of the intersection of Islington Avenue and Steeles Avenue West. Surrounding land uses include:

North: Residential neighbourhood consisting of semi-detached houses.

East: Residential neighbourhood consisting of semi-detached houses.

South: Residential semi-detached houses fronting onto Plunkett Road and industrial buildings fronting onto Millwick Drive.

West: Phase 2 of the overall subdivision, located on the former St. Gaspar Catholic School site, which is currently vacant and subject to approved zoning by-law amendment (17 271641 WET 07 OZ) and subdivision (17 271636 WET 07 SB) applications.

Reasons for Application

Part Lot Control Exemption is being requested to facilitate the creation of 42 separately conveyable parcels.

Application Requirements

The following materials were submitted in support of the application:

- Plan of Survey for each of the 42 separate parcels.

Copies of the submitted materials are available on the City's Application Information Centre at (AIC): [Application Information Centre](#).

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used in evaluating the application and to formulate appropriate conditions prior to the Bill

proceeding to City Council.

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe.

Official Plan

The land use designation for the site is *Neighbourhoods* on Map 13 of the Official Plan. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Chapter 2 of the Official Plan contains criteria for development in *Neighbourhoods*. The Official Plan can be found here: [Official Plan](#).

Zoning

The current zoning for the site is RM2 – Multi-Family Dwellings Second Density Zone in the former City of North York By-law 7625, as amended, and as established through the approved zoning by-law amendment application (13 162096 WET 07 OZ). This category permits dwellings including semi-detached dwellings, and provides standards for lot area, lot frontage, and front, side, and rear setbacks.

During the time of zoning by-law amendment and subdivision approvals for the site, the intent was to create 42 semi-detached dwelling units on the subject lands and this was facilitated through the change to the RM2 zoning category. Now that the foundations are laid and the exact division line surveyable between each semi-detached dwelling unit, the applicant has come forward with this application for Part Lot Control Exemption to create the 42 separately conveyable parcels.

In the event Council approves the Part Lot Control Exemption application, staff recommend that the implementing Bill be withheld pending confirmation that the new parcels comply with the Zoning By-law. Although it is not anticipated that the parcels will be deficient in terms of the above-noted zoning standards, including this condition will allow for a thorough review of the newly-surveyed lot boundaries and correction of any discrepancies through minor variance application prior to advancing the Bill, if necessary.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (PPS) (2020) and conformity with the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Division

Section 50(7) of the *Planning Act* 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.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the Part Lot Control Exemption By-law contain an expiration date two years from its enactment by City Council. This time frame is considered to be sufficient for the completion of the proposed development.

Conclusion

Staff recommend that Council support the approval of this application and the Draft Part Lot Control Exemption By-law to implement the proposed development, subject to the conditions identified in the recommendations of this report.

CONTACT

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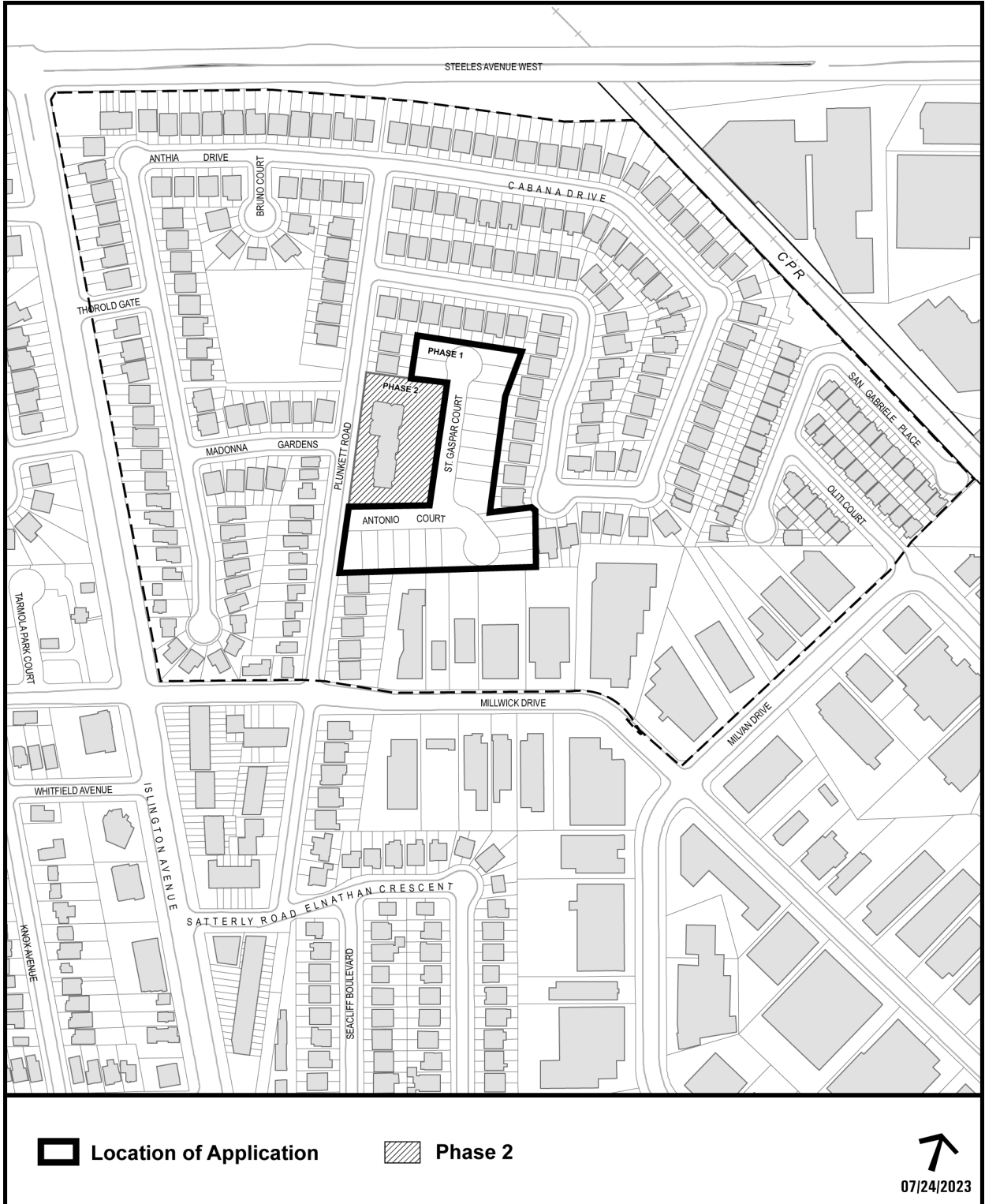
SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

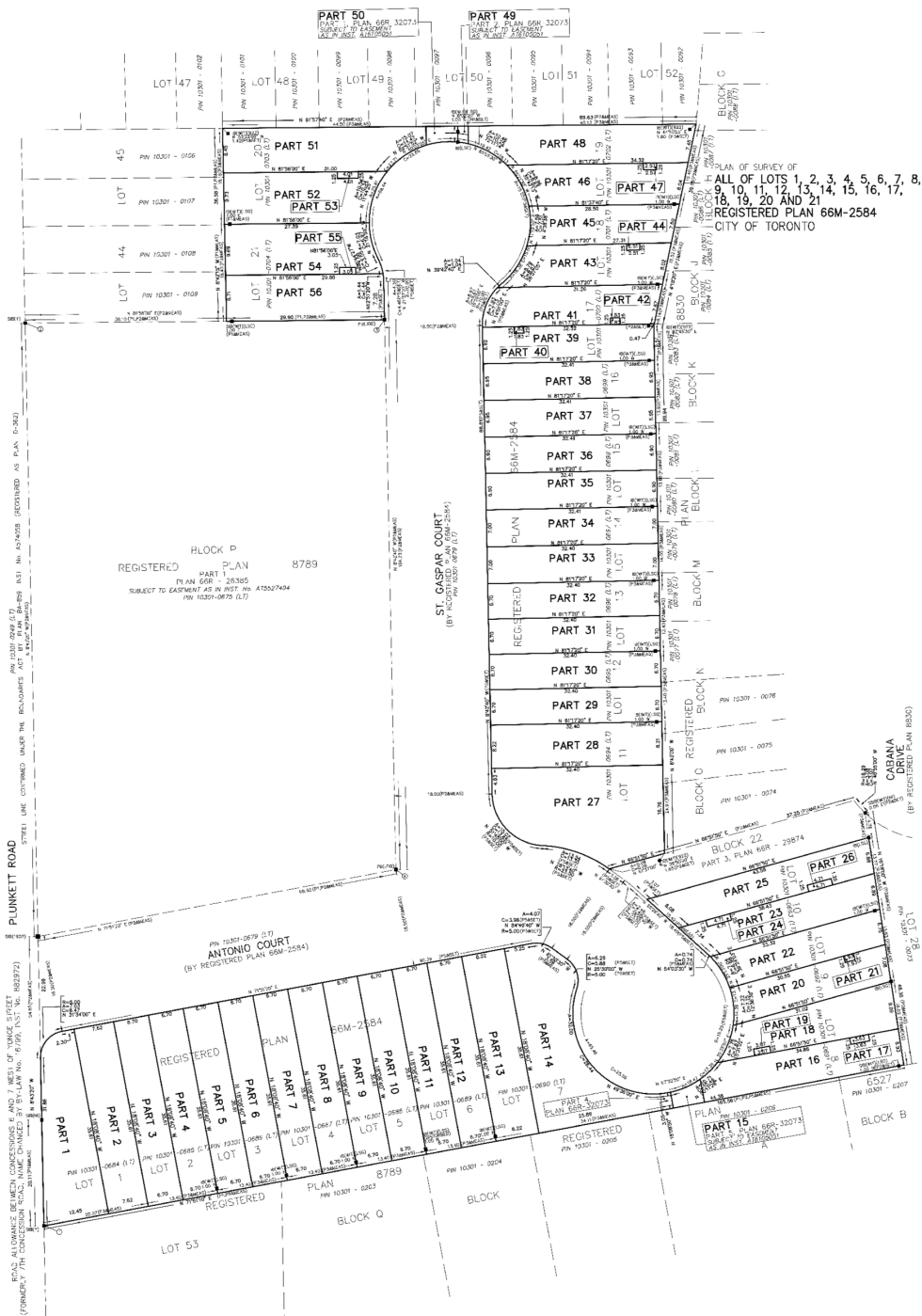
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Part Lot Control Exemption Plan
Attachment 3: Draft Part Lot Control Exemption By-law

Attachment 1: Location Map



Attachment 2: Part Lot Control Exemption Plan



Site Plan - Part Lot Control



Attachment 3: Draft Part Lot Control Exemption By-law

Authority: Etobicoke York Community Council Item No. EY, as adopted by City of Toronto Council on _____, 2023

CITY OF TORONTO

Bill _____

BY-LAW _____-2023

To exempt a portion of lands municipally known as 111 Plunkett Road from Part Lot Control.

Whereas authority is given to Council by subsection 50(7) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

The Council of the City of Toronto hereby enacts as follows:

1. Subsection 50(5) of the Planning Act does not apply to the lands described in the attached Schedule "A".
2. This By-law expires two years from the date of its enactment by Council.

Enacted and passed on, _____, 2023.

Frances Nunziata, John Elvidge
Speaker City Clerk

(Seal of the City)

Schedule "A"

Municipal Address

111 Plunkett Road

Legal Description

Part of Block P, Registered Plan 8789

Block P, Registered Plan 8830

Designated as Part of Part 1 66R-30310

City of Toronto

(Formerly City of North York)