

147 Overbrook Place – Part Lot Control Exemption Application – Decision Report - Approval

Date: March 2, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 6 – York Centre

Planning Application Number: 22 220381 NNY 06 PL

SUMMARY

This application is requesting exemption from the Part Lot Control provisions of the Planning Act for the lands municipally known as 147 Overbrook Place. The exemption request is to facilitate the creation of ten conveyable lots. Each lot will comprise of a semi-detached freehold dwelling fronting Overbrook Place.

The proposed development is consistent with the Provincial Policy Statement (2020), conforms with 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.

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 147 Overbrook Place substantially in accordance with the Draft Part-Lot Control Exemption By-law attached as Attachment 2, and as generally illustrated on the Part-Lot Control Exemption Plan on Attachment 3, 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 By-law, 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

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

The Zoning By-law Amendment application (20 212771 NNY 06 OZ) to construct a ten unit semi-detached development fronting Overbrook Place was approved July 19, 2022 by City Council, amended through By-law 928-2022 and By-law 929-2022.

The application for Part Lot Control Exemption (22 220381 NNY 06 PL) was submitted and deemed complete on October 26, 2022.

PROPOSAL

The Application seeks exemption from the Part Lot Control provisions of the *Planning Act* to facilitate the creation of ten conveyable lots each comprised of a semi-detached freehold dwelling and are described below based on the submitted draft Reference Plan (see Attachment 3: Part-lot Control Exemption Plan):

- Parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Parts 1 and 14 is the existing property, Parts 12 and 13 is a corner rounding, and Part 14 is the land conveyance.

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 Subject Lands, subject to the conditions recommended herein.

Link to Application Details:

<http://app.toronto.ca/AIC/index.do?folderRsn=GTRgoNDR%2FKr09UulwuM8gg%3D%3D>

Site and Surrounding Area

The subject lands are located on the northwest corner of Wilmington Avenue and Overbrook Place.

North: low density residential dwellings;

South: low density residential dwellings and an institutional use;

East: low density residential dwellings; and

West: low density residential dwellings.

POLICY CONSIDERATIONS

Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs and affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2020)

Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. This includes: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan

The subject site is designated as *Neighbourhoods* on Map 16 - Land Use of 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. The semi-detached development conforms to the *Neighbourhood* policies.

Zoning

The site is zoned RM6 (282) under the Former City of North York Zoning By-law No. 7625, and zoned RM (240) under the City of Toronto Zoning By-law No. 569-2013, as amended by zoning by-law 928-2022 and By-law 929-2022. The approved semi-detached development is permitted by the amended zoning by-laws.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas. The proposed development promotes intensification through a compact urban form and allows for the orderly development of the lands that conforms to the Official Plan.

Land Division

Part-Lot Control Exemption is being requested in order to facilitate the creation and conveyance of ten lots for a residential townhouse development. The proposal is appropriate as it implements the previous approvals, conforms with the Official Plan and complies with the Zoning Bylaws.

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 and will facilitate the development currently under construction.

To ensure that the Part Lot Control Exemption does not remain in effect indefinitely, it is recommended that the By-law expire in two years following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development.

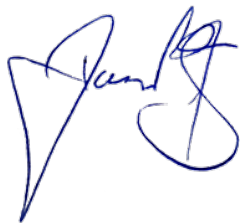
Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020), conforms with the Growth Plan (2020) and conforms with the Official Plan. Staff recommend that Council approve the Application and enact a Part Lot Control Exemption By-law with respect to the subject lands.

CONTACT

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SIGNATURE

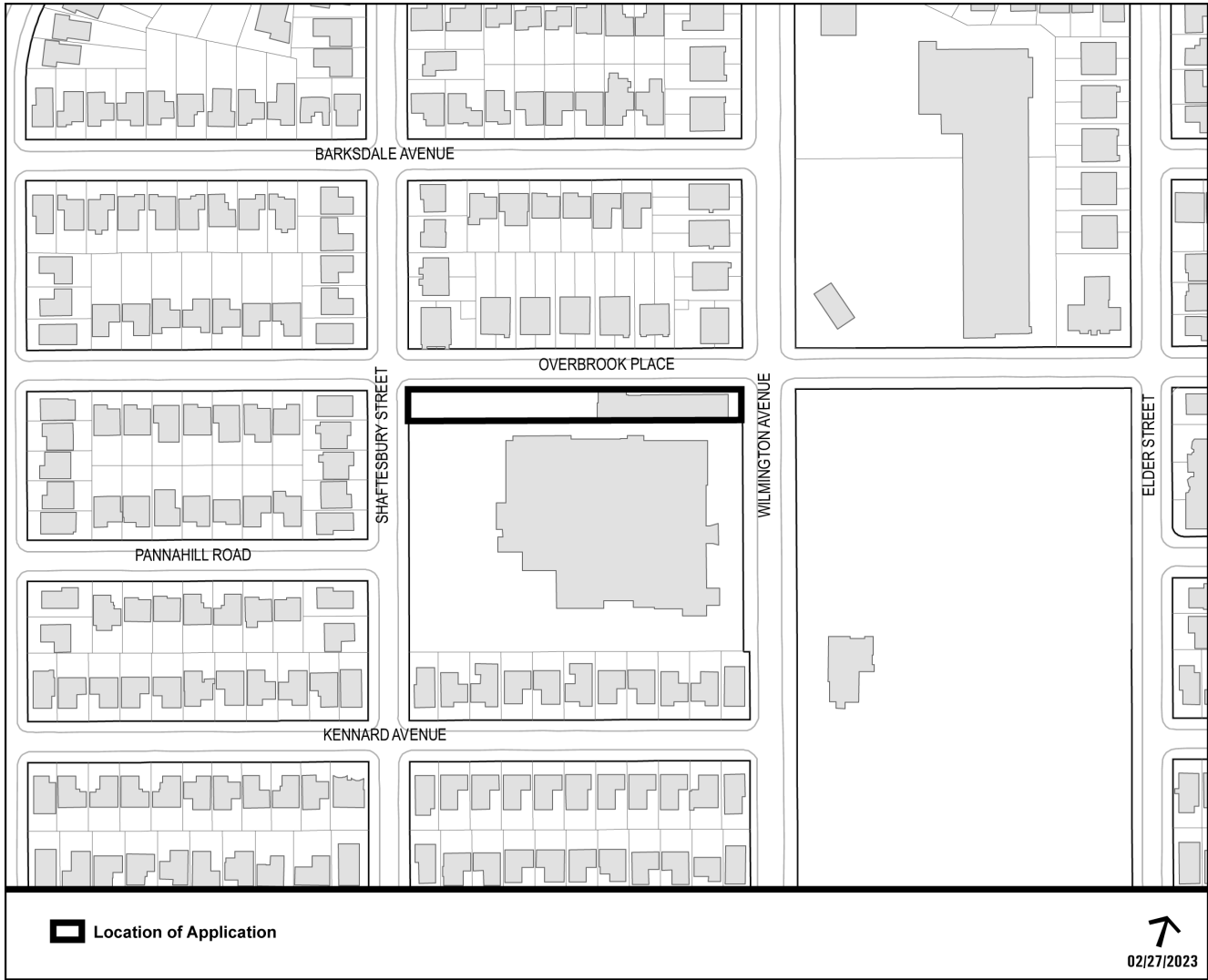


David Sit, MCIP, RPP
Director, Community Planning, North York District

ATTACHMENTS

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

Attachment 1: Location Map



Attachment 2: Draft Part-lot Control Exemption By-law

Authority: North York Community Council Item No. NY, 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 147 Overbrook Place 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:

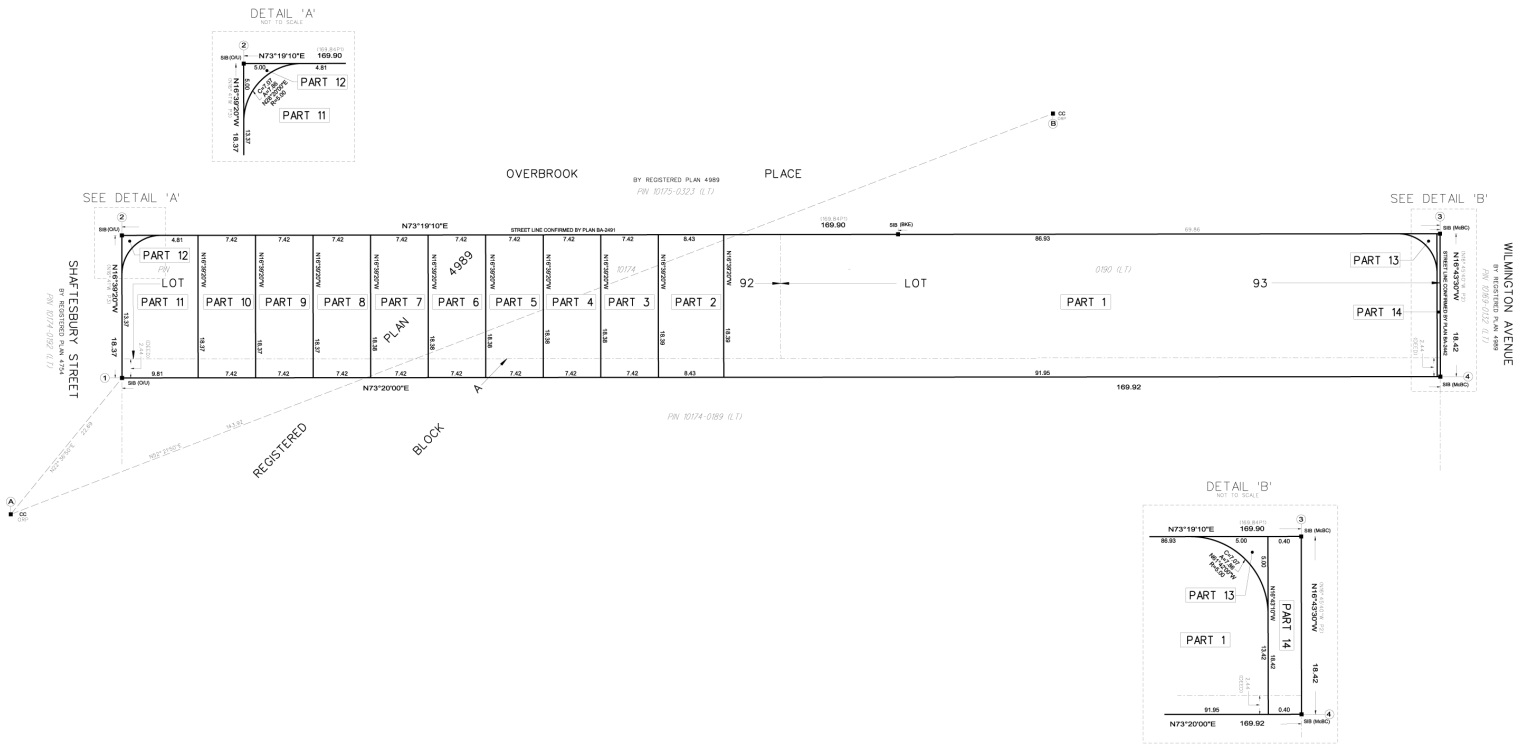
1. Subsection 50(5) of the Planning Act does not apply to the lands described in the attached Schedule "A".
2. This By-law expires two years from the date of its enactment by Council.

Enacted and passed on, _____, 2023.

Frances Nunziata, John Elvidge
Speaker City Clerk

(Seal of the City)

Attachment 3: Part-lot Control Exemption Plan



Part Lot Control Exemption Plan



Schedule "A"

Municipal Address

147 Overbrook Place

Legal Description

PLAND 4989 LOTS 92 AND 93 BLK A, City of Toronto