

**1181 Sheppard Ave East- Part Lot Control Application –  
Final Report**

<b>Date:</b>	April 22, 2009
<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>	09 115273 NNY 24 PL

**SUMMARY**

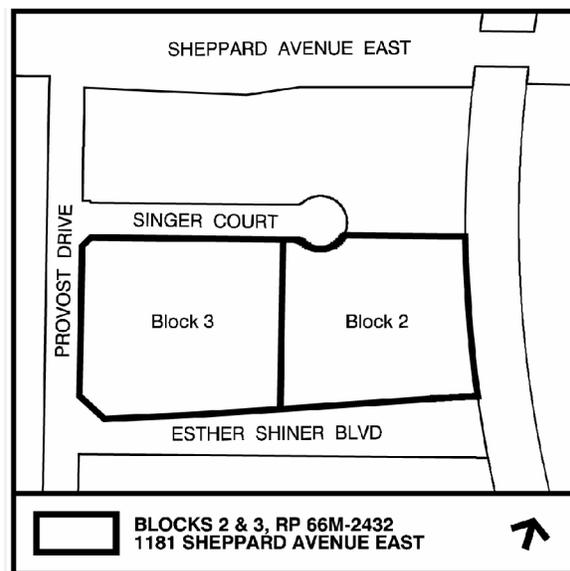
This application was made on March 9, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes exemption from part lot control to allow for easements and agreements for shared facilities, phased mortgage financing and individual condominium ownership for five buildings in a proposed mixed use development at 1181 Sheppard Ave East at Leslie Street. This report recommends exemption from part lot control subject to the conditions contained in this report.

**RECOMMENDATIONS**

**The City Planning Division recommends that City Council:**

1. Enact a Part Lot Control Exemption By-law for Blocks 2 & 3 of Registered Plan of Subdivision 66M-4232;
2. Deem that the Part Lot Control Exemption By-law shall expire two years from the date of its passing;



3. Require proof of payment of all current property taxes for the subject site from the owner prior to enactment of the Part Lot Control Exemption By-law;
4. Authorize the City Solicitor to make such stylistic and technical changes to the Part Lot Control Exemption By-law as may be required;
5. Authorize the City Solicitor to introduce the Part Lot Control Exemption By-law in Council after the owner of the subject lands has registered a Section 118 Restriction under the Land Titles Act, agreeing not to transfer or change any part of the said lands without the prior written consent of the Director of Community Planning, North York District;
6. Prior to obtaining the written consent of the Director of Community Planning, North York District, as provided for in Recommendation #5 above, the owner of the subject lands shall provide a Reference Plan to the satisfaction of the Director which identifies the proposed new lot lines and easements requested by the owner; and,
7. Authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction at such time as the Condominium Plans have been registered.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The proposed mixed use development is part of the former Canadian Tire lands located on the south side of Sheppard Avenue East between the Bessarian and Leslie Subway stations and extending south to Highway 401. The lands received Official Plan, zoning and subdivision approval in 2002 for a mixed use community comprising approximately 4,000 residential units, office, retail and other commercial uses. In 2006 most of the holdings were sold to Concord Adex Development Corporation. In 2008, the new owner applied for site plan approval for Blocks 2 and 3 of Registered Subdivision Plan 66M-2432 for a mixed use development. The Notice of Approval Conditions were issued on March 4, 2009 and once the site plan conditions have been met, Site Plan Approval will be granted. The applicant also applied to the Committee of Adjustment and received approval on December 24, 2008 for variances to height, density, yard setbacks, amenity space and parking spaces.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant is proposing a mixed use development comprised of five buildings on two blocks of Registered Subdivision Plan 66M-2432. Two 28-storey residential buildings are proposed on the eastern block (Block 2) and two 12-storey residential buildings with

commercial uses in the ground floor are proposed for the western block (Block 3). A block of 11 townhouses is also proposed on Block 3. There are a total of 1,205 residential units proposed and 92,300 m<sup>2</sup> gross floor area. Blocks 2 and 3 of the Registered Plan are shown on Attachment 1 and the Site Plan is shown on Attachment 2.

The applicant is seeking exemption from part lot control to allow for easements for elements that are shared among the five proposed buildings in this mixed use development, for phased construction financing and for separate ownership for residential condominium buildings. For example, one of the 28 storey residential buildings and one of the 12 storey mixed use buildings is located over the subdivision boundary between Blocks 2 and 3 of the subdivision plan. Parking for Block 2 is being provided in large part on Block 3. The amenity space for Blocks 2 and 3 is also shared and is predominately located on Block 3. Access and loading facilities are shared among the five buildings.

### **Site and Surrounding Area**

The site is located within the former Canadian Tire lands on the south side of Sheppard Avenue East at Leslie Street. The surrounding land uses are as follows:

- North – across Singer Court is the McDonalds and car wash site and the proposed Canadian Tire Head Office Building
- South – Esther Shiner Boulevard and the IKEA store
- East – CN rail line
- West – Provost Drive and the Canadian Tire Store

### **Official Plan**

The lands are designed *Mixed Use Areas* in the Sheppard Avenue East Subway Corridor Secondary Plan which are intended to be developed for commercial, residential, institutional and open space uses.

### **Zoning**

The lands are zoned C1 (112) and C1(113) by By-law 1094-2002 which permits a range of mixed uses including residential, retail, office and restaurants.

### **COMMENTS**

Section 50(7) of the *Planning Act* authorizes Council to adopt a By-law exempting lands within a registered plan of subdivision from Part Lot Control. Passing a Part Lot Control Exemption By-law will allow the owner to convey portions of the development into separate ownerships through a series of reference plans in order to establish shared rights of way and easements for maintenance purposes, to facilitate phased construction financing and for separate condominium ownership.

The City's standard time frame for exemption from Part Lot Control is one year. Due to the size of the proposed development, consisting of 5 buildings, 1,025 residential units and 92,300 m<sup>2</sup> gross floor area and shared elements including parking and amenity space, the owner has requested that the standard time frame be extended to two years.

## **CONCLUSIONS**

The application at 1181 Sheppard Avenue East is recommended for exemption from part lot control for a period of two years and subject to the recommendations contained in this report.

## **CONTACT**

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## **SIGNATURE**

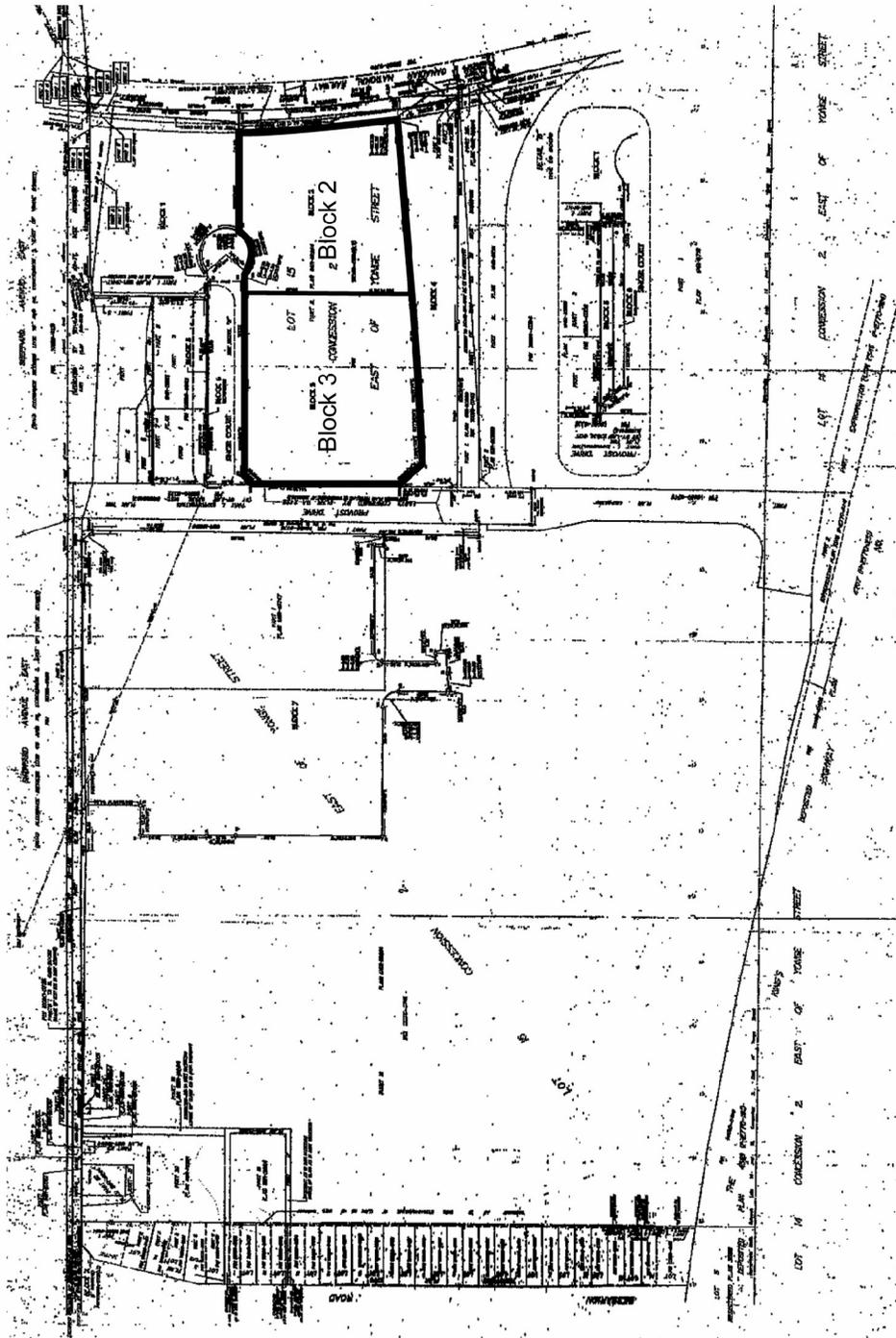
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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Blocks 2 and 3 of Registered Plan 66M-2432  
Attachment 2: Site Plan  
Attachment 3: Application Data Sheet

Attachment 1: Registered Plan 66M-2432



1181 Sheppard Avenue East

Plan of Subdivision - RP 66M-2432

Applicant's Submitted Drawing

Not to Scale  
04/07/2009

File # 09\_115273



**APPLICATION DATA SHEET**

Application Type	Part Lot Control	Application Number:	09 115273 NNY 24 PL
Details		Application Date:	March 9, 2009

Municipal Address: 1181 SHEPPARD AVE E  
 Location Description: Blocks 2 & 3 Registered Plan 66M-2432  
 Project Description: The application is for exemption from Part Lot Control for a mixed use development on blocks 2 and 3 of the registered plan of subdivision

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Alan Vihant, Concord Adex Development Corp	Kim Kovar, Aird & Berlis		CONCORD PARK PLACE

**PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C1(112), C1(113)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

**PROJECT INFORMATION**

Site Area (sq. m):	21573.17	Height:	Storeys:	28
Frontage (m):			Metres:	80
Depth (m):				
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	89954.7		Parking Spaces:	1171
Total Non-Residential GFA (sq. m):	2349.1		Loading Docks	4
Total GFA (sq. m):	92303.8			
Lot Coverage Ratio (%):				
Floor Space Index:	4.3			

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN** (upon project completion)

		<b>Above Grade</b>	<b>Below Grade</b>
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	83838.4
Bachelor:	0	Retail GFA (sq. m):	2349.1
1 Bedroom:	666	Office GFA (sq. m):	0
2 Bedroom:	334	Industrial GFA (sq. m):	0
3 + Bedroom:	25	Institutional/Other GFA (sq. m):	0
Total Units:	1025		

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