

**2277-2295 Sheppard Avenue West and 100 Mainshep Road (Lots 51 to 63 and Lot 77) – Part Lot Control Exemption Application – Final Report**

<b>Date:</b>	June 1, 2011
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 7 – York West
<b>Reference Number:</b>	11 178675 WET 07 PL

**SUMMARY**

This report reviews and recommends approval of an application by Lindvest Properties (Westshp) Limited for Part Lot Control Exemption for 14 pairs of semi-detached dwellings (28 units) within the development on lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Lots 51 to 63 and Lot 77 on Registered Plan of Subdivision 66M-2474).

An exemption from Part Lot Control will allow each lot containing a pair of semi-detached dwelling units to be subdivided yielding 28 individual residential lots each with a semi detached dwelling unit.

The proposal complies with the existing 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 for the lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Lots 51 to 63 and Lot 77 (inclusive) on Registered Plan of Subdivision 66M-2474) as generally illustrated on Attachment 1, 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**

Amendments to the former City of North York Official Plan and to the former City of North York Zoning By-law 7625 to permit the redevelopment of the lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road were approved by Toronto City Council in 2006 and by the Ontario Municipal Board on July 8, 2008 (OPA No. 573 to the former City of North York Official Plan and By-law 482-2006). On September 30, 2010 the Ontario Municipal Board approved modifications to the new Official Plan associated with the proposed development.

The Plan of Subdivision was registered on December 23, 2009 (Plan 66M-2474).

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is requesting exemption from Part Lot Control in order to create separate, conveyable lots for each of the 28 semi-detached dwelling units currently under construction on existing subdivision Lots 51 to 63 and Lot 77. The units will be marketed as freehold units with frontage onto Lou Pomanti Street (2 to 52 Lou Pomanti Street, even numbers only) and Ron Attwell Street (1 and 3 Ron Attwell Street). Attachment 1 shows the area for which the semi-detached dwelling units are permitted in the subdivision and in which the various lots subject to this application are located.

## **Site and Surrounding Area**

The subject application sites are within the proposed subdivision. The subdivision lands are currently being developed.

The subdivision is located on the south side of Sheppard Avenue West, adjacent to the CPR rail corridor and midway between Weston Road and Highway 400.

The development lots which are the subject of this application are located internal to the subdivision and fronting onto new public roads (Lou Pomanti Street and Ron Attwell Street) created by the Plan of Subdivision.

## **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 lots subject to this application are designated *Neighbourhoods*. These areas are to be considered physically stable areas made up of residential uses in lower scale buildings 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.

## **Zoning**

Lots 51 to 63 and Lot 77 on Plan 66M-2474 are zoned RM1 (65) by former City of North York Zoning By-law 7625, as amended, and permits semi-detached and townhouse homes.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions.

## **COMMENTS**

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

The proposal is consistent with the PPS. The proposal also conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The lifting of Part Lot Control from the subject site allows for the orderly development of lands within this new neighbourhood.

### **Land Division**

Section 50(7) of the Planning Act, R.S.O. 1990, authorizes Council to adopt a by-law exempting lands within a Plan of Subdivision from Part Lot Control. The subject properties are within a registered Plan of Subdivision (Lots 51 to 63 and Lot 77, Registered Plan 66M-2474). Thus, exemption from Part Lot Control may be employed as an effective means of further subdividing the lands. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands.

The proposal complies with the amended Official Plan and Zoning By-law. The Part Lot Control exemption application was circulated to various divisions and agencies for comment and no issues were identified.

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**

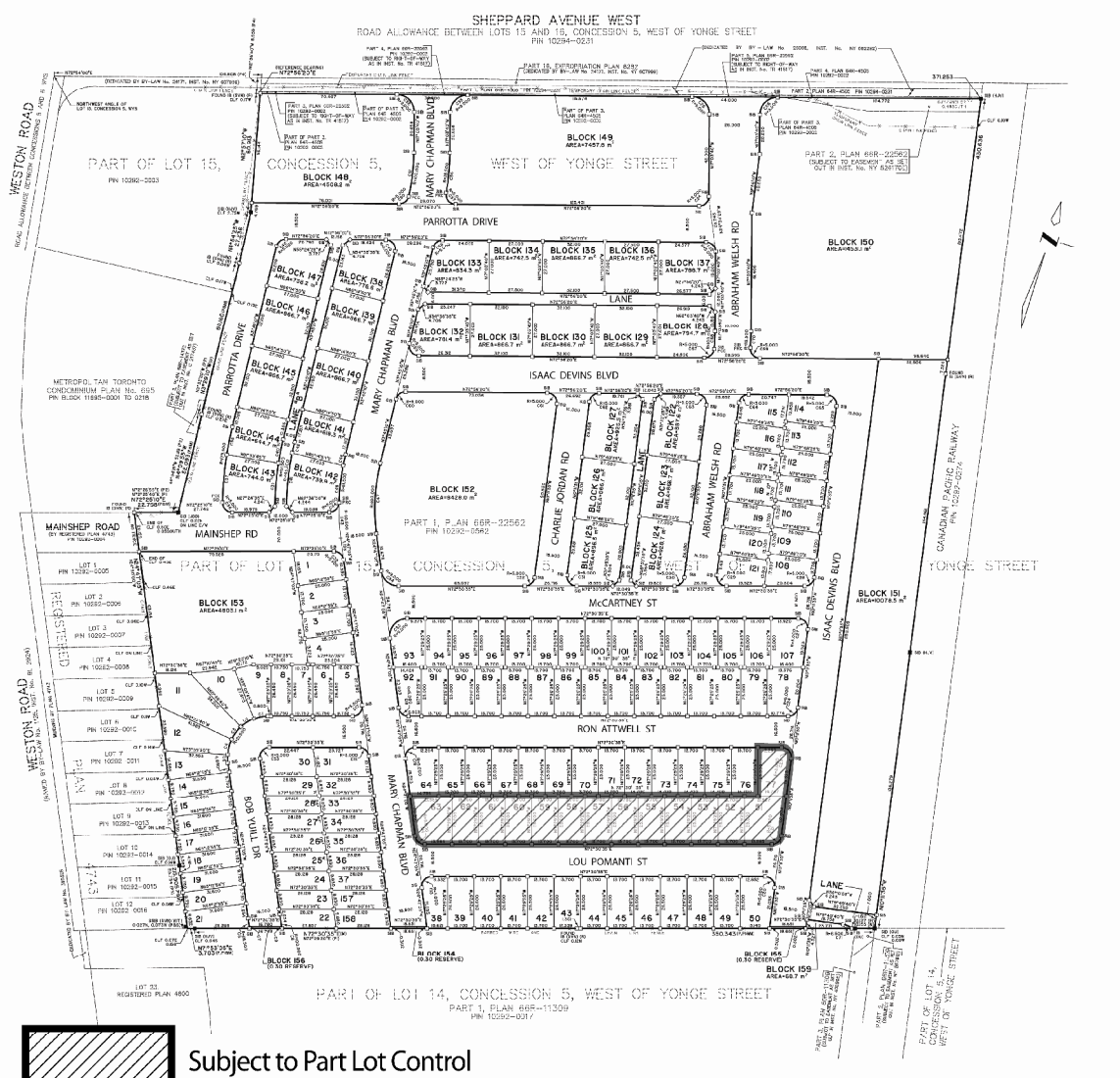
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Thomas C. Keefe  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Part Lot Control Exemption Plan

# Attachment 1: Part Lot Control Exemption Plan



## Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale  
2/May/2011



2277 - 2295 Sheppard Avenue West  
and 100 Mainship Road

File # 11\_178675