

2277-2295 Sheppard Avenue West and 100 Mainshep Road – Lots 3, 4 and 93 to 121 (inclusive) on Registered Plan of Subdivision 66M-2474 – Part Lot Control Exemption Application – Final Report

Date:	November 22, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	10 255417 WET 07 PL

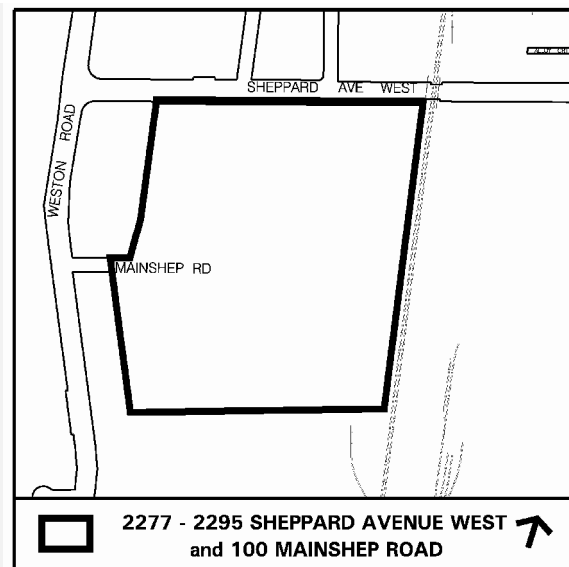
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This report reviews and recommends approval of an application by Fernbrook Homes (Sheppard) Limited for Part Lot Control Exemption for 31 pairs of semi-detached dwellings (62 units) within the development on lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Lots 3, 4 and 93 to 121 (inclusive) 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 62 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 with respect to the subject lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Lots 3, 4 and 93 to 121 (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 62 semi-detached dwelling units currently under construction on existing subdivision Lots 3, 4 and 93 to 121, inclusive. The units will be marketed as freehold units with frontage onto Mary Chapman Boulevard, McCartney

Street, Isaac Devins Boulevard and Abraham Welsh Road. 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 (Mary Chapman Boulevard, McCartney Street, Isaac Devins Boulevard and Abraham Welsh Road) 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

These lands are not currently subject to the new City of Toronto Zoning Bylaw 1156-2010 and are subject to the former City of North York Zoning By-law (By-law 7625, as amended).

Lots 3, 4 and 93 to 97 on Plan 66M-2474 are zoned RM1 (65) and Lots 98 to 121 on Plan 66M-2474 are zoned RM2 (42). Semi-detached homes are permitted in both these zoning districts.

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 in 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 3, 4 and 93 to 121, inclusive, 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 and will facilitate the development.

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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Etobicoke York District

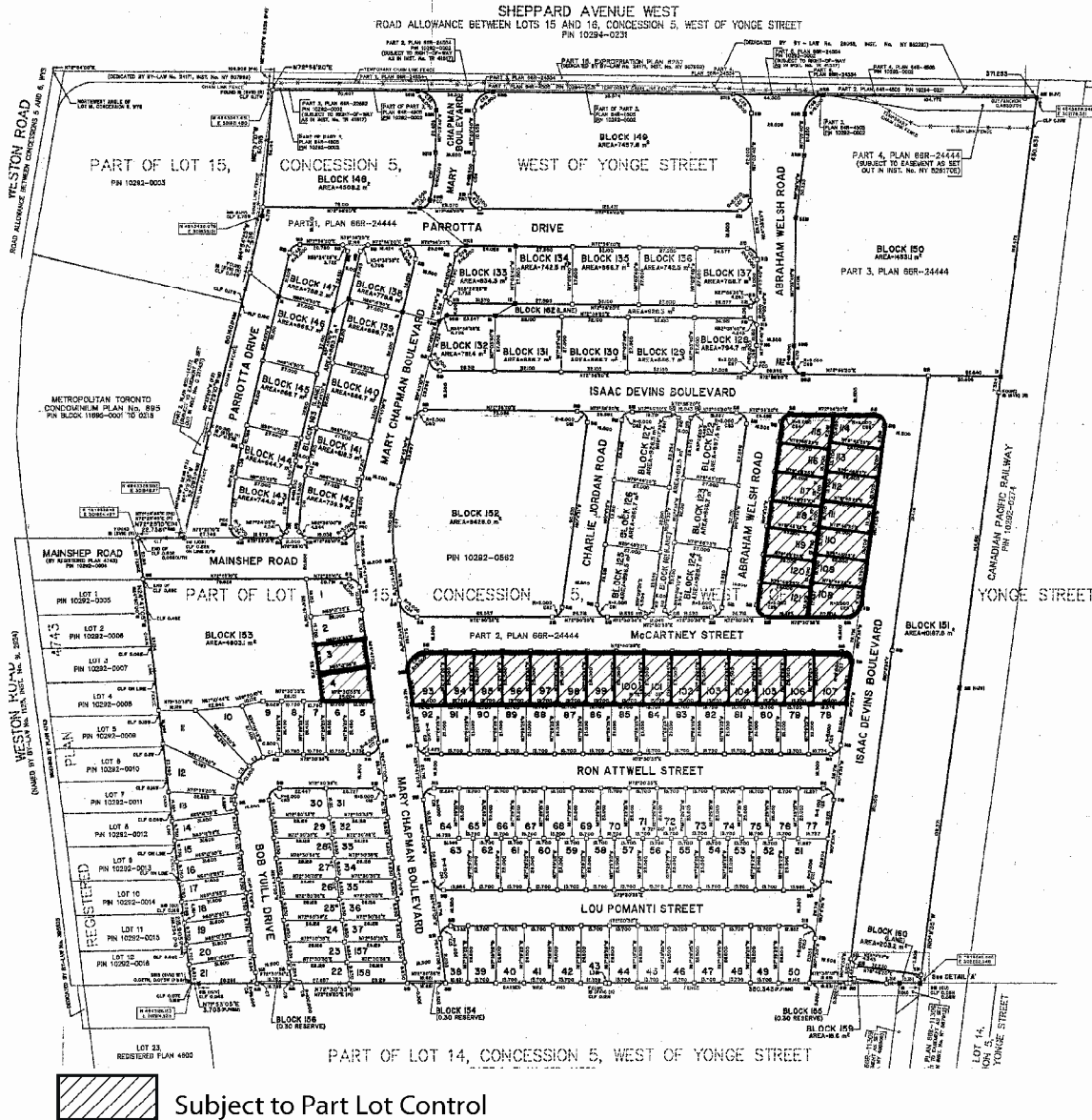
ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plan

Attachment 2: Part Lot Control Exemption Plan Lots 3, 4 and 93-107

Attachment 3: Part Lot Control Exemption Plan Lots 108-121

Attachment 1: Part Lot Control Exemption Plan



Plan of Subdivision

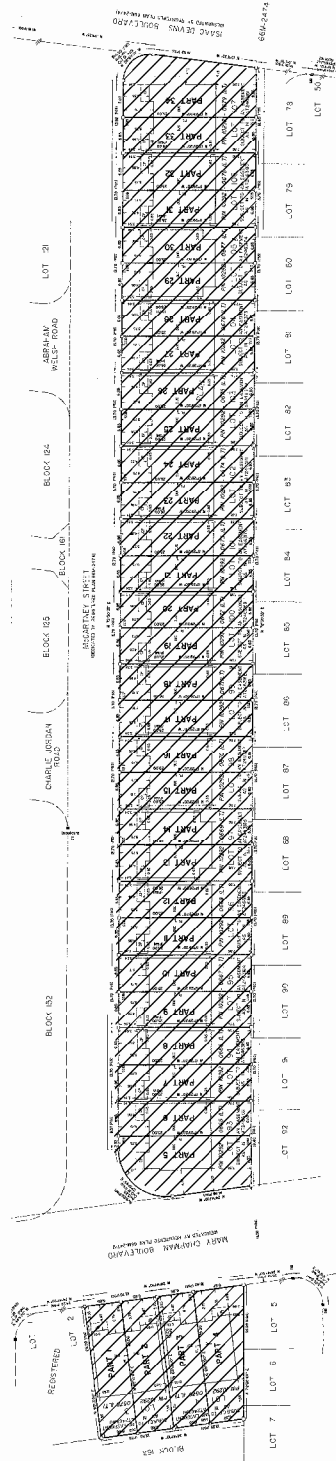
Applicants Submitted Drawing

Not to Scale
10/14/2010

2277 - 2295 Sheppard Avenue West
and 100 Mainshep Rd.

File # 10_255417

Attachment 2: Part Lot Control Exemption Plan Lots 3, 4 and 93-107



**Plan Of Survey of
Lots 3, 4 and 93 To 107 , All
Inclusive Registered Plan 66M-2474**

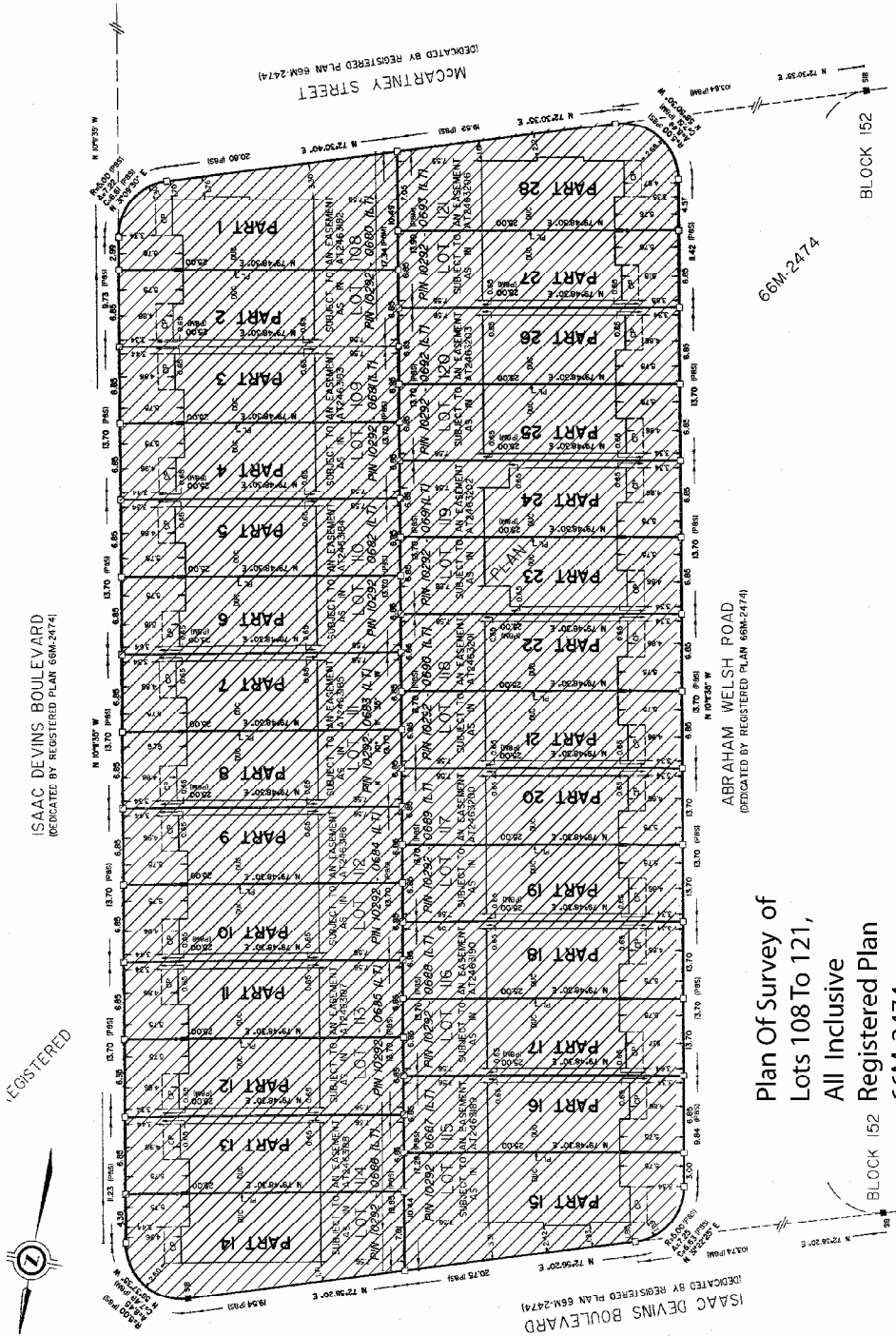
**2277 - 2295 Sheppard Avenue West
and 100 Mainshep Rd.**

Part Lots Control
Applicant's Submitted Drawing

Not to Scale
10/15/2010

File # 10_255417

Attachment 3: Part Lot Control Exemption Plan Lots 108-121



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and 100 Mainshep Rd.

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Part Lots Control

Applicant's Submitted Drawing

Not to Scale
10/15/2010