

**475 Front St E– Part Lot Control Exemption Application
– Final Report**

Date:	December 13, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	11-253735 STE 28 PL

SUMMARY

This application proposes to lift part lot control at 475 Front Street East to facilitate the future conveyance of the development blocks within the West Don Lands Phase 2 Subdivision into their individual ownership/development parcels.

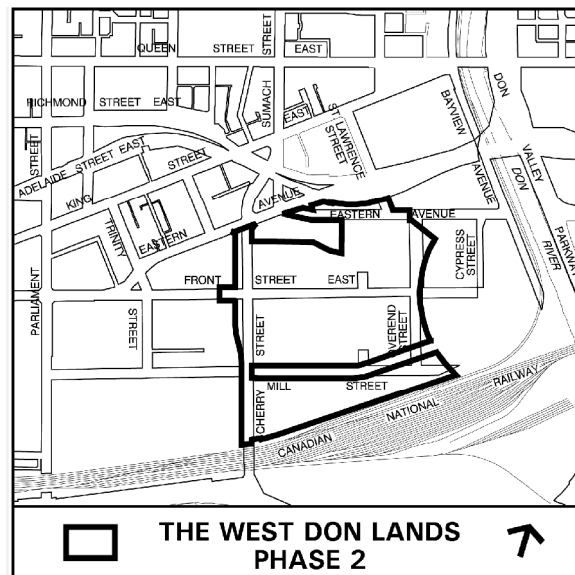
The Phase 2 Lands encompass the site of the Athletes' Village for the 2015 Pan/Parapan American Games (Pan Am Games) and are being developed on behalf of the Province in accordance with the West Don Lands Precinct Plan and the West Don Lands Block Plan & Design Guidelines. The development of the Phase 2 Lands may include multiple buildings on each Block within the subdivision plan with multiple owners.

This report reviews and recommends approval of part lot control exemption by-laws to be enacted for periods of up to five years on the Phase 2 Lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the enactment of Part Lot Control Exemption By-laws with respect to the West Don Lands Phase 2 Subdivision lands



- (475 Front Street East) as generally illustrated on Attachment 1 to the report of December 13, 2011 from the Director of Community Planning, Toronto and East York District, each of the by-laws to be prepared to the satisfaction of the City Solicitor and Chief Planner and Executive Director, and to be in force for up to five years following enactment by City Council.
2. City Council require that the applicant notify the City Solicitor and Chief Planner and Executive Director of requests to bring forward bills to City Council to remove Part Lot Control, and provide the appropriate fees, and submit a Reference Plan(s) of Survey with the proposed parcels shown as separate PARTS thereon. The Reference Plan must be in metric units and referenced to the Ontario Co-ordinate System, delineating thereon as separate PARTS the proposed parcels and any appurtenant rights-of-way or easements.
 3. City Council require the owners to provide proof of payment of all current property taxes for the lands which are the subject of the proposed Part Lot Control Exemption By-laws to the satisfaction of the City Solicitor, prior to the enactment of the Part Lot Control Exemption By-laws.
 4. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-laws on title.
 5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-laws as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In June 2005, Waterfront Toronto as the master developer for the West Don Lands, submitted applications for the Draft Plan of Subdivision, a Zoning By-law Amendment and the Lifting of the "h" holding symbol for the entire West Don Lands. The Zoning By-law Amendment was adopted by City Council in June, 2006. In August 2010, City Council approved the removal of the Phase 2 "h" holding symbol subject to the criteria in the King Parliament Secondary Plan being satisfied and following the registration of the Plan of Subdivision Agreement. The Plan of Subdivision received Draft Approval on December 30, 2010 and was registered September 9th, 2011. The "h" holding symbol was removed by City Council at its meeting on September 21st & 22nd, 2011 (By-law 1131-2011).

ISSUE BACKGROUND

Proposal

The West Don Lands Phase 2 Plan of Subdivision Lands encompasses the Athletes' Village for the 2015 Pan Am Games and initial site works are underway to prepare the area for this international event.

The registered Plan of Subdivision created 16 development blocks that will be constructed in accordance with the West Don Lands Precinct Plan and the West Don Lands Block Plan and Design Guidelines. To meet construction timelines in order to ensure delivery of the completed Athletes' Village for opening day, the development of the Phase 2 lands is being reviewed on an expedited basis. The development of the Phase 2 lands may include multiple buildings on each Block within the Subdivision Plan. In some instances there may be more than one owner on a single block and also a need for long term leases over portions of the blocks. This application is to seek Council's approval to the passing of Part-lot Control By-laws on a phased basis with respect to the Phase 2 lands.

Site and Surrounding Area

West Don Lands Phase 2 Plan of Subdivision Lands are approximately 12 hectares (30 acres) and are generally bounded by: Eastern Avenue to the north, the GO/CN rail corridor to the south, Cherry Street to the west and the realigned Bayview Avenue to the east.

The Province of Ontario owns most of the land in the West Don Lands and the City of Toronto owns a number of existing and closed roads and lanes. There are some private land holdings in the West Don Lands, but these are not subject to the application.

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.

Central Waterfront Secondary Plan

The Central Waterfront Plan was passed as an Official Plan Amendment No. 257 by City Council on April 16, 2003. Although the Waterfront Plan was appealed to the Ontario Municipal Board, it was approved on December 9, 2005, as it pertains to the West Don Lands with the exception of the housing policies. It identifies the West Don Lands as a "Regeneration Area".

King Parliament Secondary Plan

The King-Parliament Plan Policy 10.1 identifies the West Don Lands as a Regeneration Area. This designation provides for a broad mix of residential, live/work, commercial, industrial, light industrial and institutional, including recreational and open space uses.

West Don Lands Precinct Plan

The West Don Lands Precinct Plan was endorsed by City Council in May 2005. The Precinct Plan provides an important framework for the West Don Lands and generally determines the built form development, public realm plan, parks and open spaces, sustainability measures, transit, public infrastructure and phasing and implementation initiatives for the area.

West Don Lands Block Plan and Design Guidelines

The West Don Lands Block Plan and Design Guidelines were endorsed by City Council in May 2006. The main objectives of the guidelines are to reinforce the vision of the West Don Lands Precinct Plan by defining height and massing of the development, setbacks and stepbacks and the scale and character of building facades.

Zoning

West Don Lands Phase 2 Plan of Subdivision Lands are currently zoned RA, Reinvestment Area. A site specific Zoning By-Law Amendment 4-2011 was adopted by City of Toronto Council in August 2010 and enacted by Council in December 2010. This By-Law (No. 4-2011) allows for a range of permitted uses and performance standards including maximum heights, permitted tower areas, building setbacks, and ground floor animation areas.

Site Plan Control

West Don Lands Phase 2 Plan of Subdivision Lands are subject to Site Plan Control. Site Plan applications have been submitted for Blocks 1/14, 3, 15, 11 and 4 to be developed as the Athletes' Village for the Pan Am Games. Following the Games, these facilities will become residential condominiums, affordable housing, a sports facility and student housing. The balance of the West Don Lands Phase 2 area will be developed after the Pan Am Games.

Reasons for Application

The West Don Lands Phase 2 Plan of Subdivision is the site of the Athletes' Village for the 2015 Pan Am Games. The development of the Phase 2 lands may include multiple buildings on each Block within the Subdivision Plan with multiple owners and potentially the need for long term leases, easements and rights-of-way over portions of the Blocks. This report is seeking Council's approval to the passing of Part-lot Control By-Laws on a phased basis with respect to the entire Phase 2 Lands for a period of up to 5 years.

COMMENTS

Land Division

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, 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 on a phased basis is considered appropriate for the orderly development of the lands and will facilitate the development.

The applicant will be required to pay applicable fees, provide a reference plan of survey and provide proof of payment of property taxes prior to the enactment of Part Lot Control Exemption By-laws.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-laws contain expiration dates. In this case, the By-laws should expire up to five years following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development for the 2015 Pan Am Games.

CONTACT

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SIGNATURE

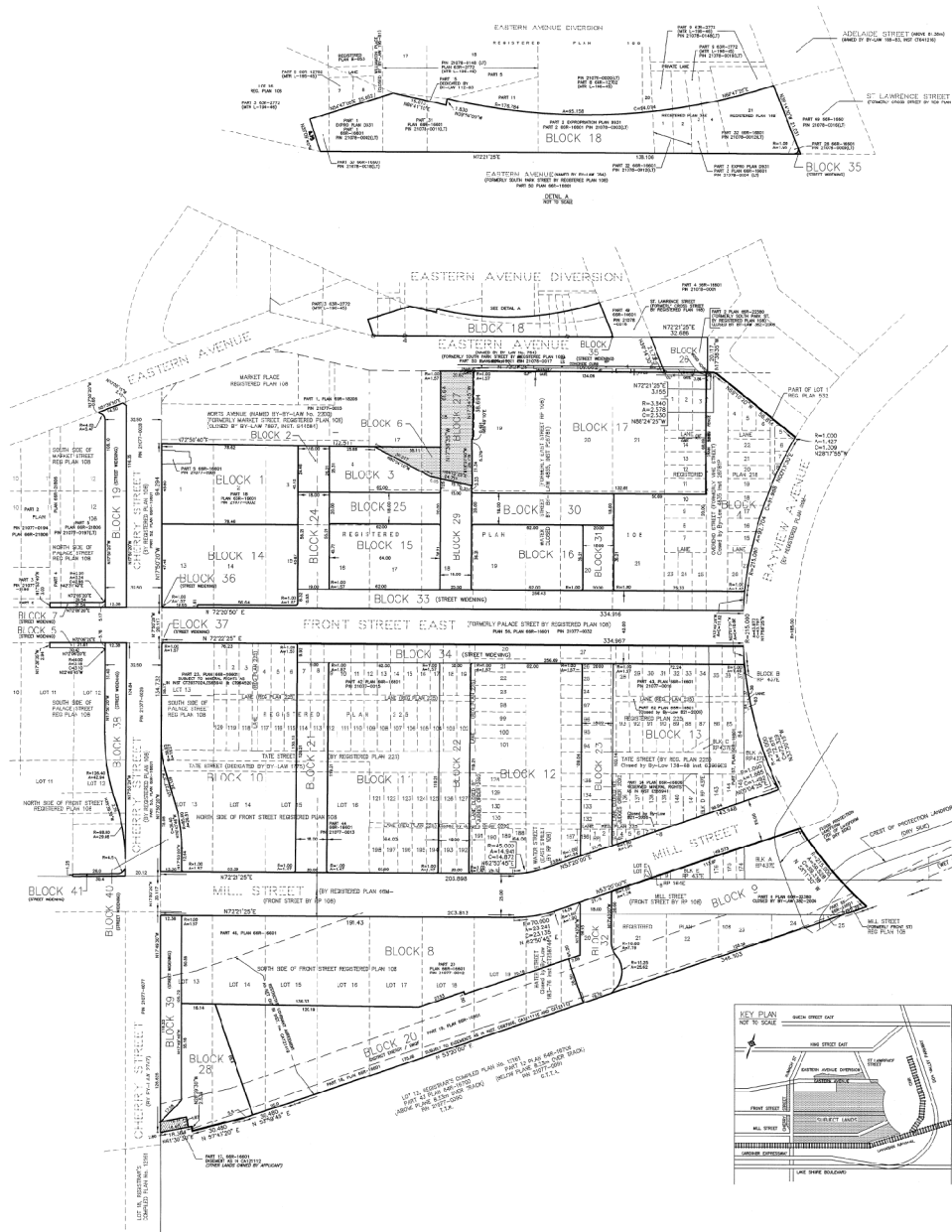
Gregg Lintern, Director, MCIP, RPP
Community Planning, Toronto and East York District

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ATTACHMENT

Attachment 1: Plan of Subdivision

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Draft Plan of Subdivision

The West Don Lands Phase 2

Applicant's Submitted Drawing

Not to Scale 

File # 11 253735 PL