

1-47 Lou Pomanti Street (Formerly Part of 2277-2295 Sheppard Avenue West and 100 Mainshep Road) (Lots 39 to 50 Plan 66M-2474) – Part Lot Control Exemption Application – Final Report

Date:	May 27, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 156786 WET 07 PL

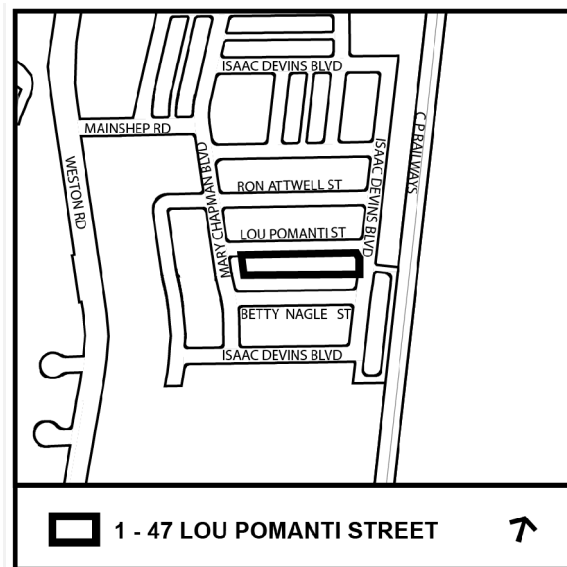
SUMMARY

This report reviews and recommends approval of an application by Lindvest Properties (Westshep) Limited for Part Lot Control Exemption for 12 pairs of semi-detached dwellings (24 units) at 1-47 Lou Pomanti Street (Lots 39 to 50 on Registered Plan of Subdivision 66M-2474). These lands are part of the lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road.

This exemption from Part Lot Control will allow each lot containing a pair of semi-detached dwelling units to be subdivided yielding 24 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 1-47 Lou Pomanti Street (Lots 39 to 50 on Registered Plan of Subdivision 66M-2474, formerly part of 2277-2295 Sheppard Avenue West and 100 Mainshep Road) 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 of the lands.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An amendment to the former City of North York Official Plan to permit the residential redevelopment of the lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road was approved by the Ontario Municipal Board on July 8, 2008 (OPA No. 573 to the former City of North York Official Plan). On September 30, 2010 the Ontario Municipal Board approved modifications to the new Toronto Official Plan associated with the proposed development.

An amendment to the former City of North York Zoning By-law No. 7625, as amended, to allow the residential redevelopment was approved by the Ontario Municipal Board on July 8, 2008 (By-law 482-2006).

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

A Zoning By-law Amendment application has been made to lift the "H" (Holding Symbol) (Application No. 13 123807 WET 07 OZ) for the subject lands which is the subject of a separate report.

ISSUE BACKGROUND

Proposal

The applicant is requesting an exemption from Part Lot Control to create separate, conveyable lots for each of the 24 semi-detached dwelling units on existing subdivision

Lots 39 to 50. The units will be marketed as freehold units with frontage onto Lou Pomanti Street. Attachment 1 shows the location of the lots subject to this application.

Site and Surrounding Area

The subdivision is located south of Sheppard Avenue West, adjacent to the CPR rail corridor and midway between Weston Road and Highway 400. Residential dwellings within the subdivision are under construction.

The development lots which are the subject of this application are located within the subdivision and front onto Lou Pomanti Street.

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 lands subject to this application are designated *Neighbourhoods* on Map 13 Land Use Plan. These areas are 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

The former City of North York Zoning By-law No. 7625, as amended, zones the subject lots RM2 (42) (H) which permits semi-detached dwellings.

For the lands subject to the 'H' holding symbol, no building is permitted until a revised Noise Impact Study which identifies mitigation measure to the satisfaction of the Director of Community Planning, Etobicoke York District has been submitted. The owner has provided the required information and has made a Zoning By-law Amendment application to lift the 'H' holding symbol (Application 13 123807 WET 07 OZ).

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 lots allows for the orderly development of lands within this new neighbourhood.

Land Division

Section 50(7) of the *Planning Act* authorizes City 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 39 to 50 on Plan 66M-2474). Thus, exemption from Part Lot Control may be employed as an effective means of further subdividing the lands.

The proposal complies with the amended Official Plan and Zoning By-law with respect to the performance standards in the RM2(42) zone. The owner has a separate application to lift the 'H' holding symbol and has provided the required information. Staff are recommending approval of the Zoning By-law Amendment Application to lift the 'H' holding symbol. The Part Lot Control Exemption application was circulated to various Divisions and agencies for comment and no issues were identified. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands.

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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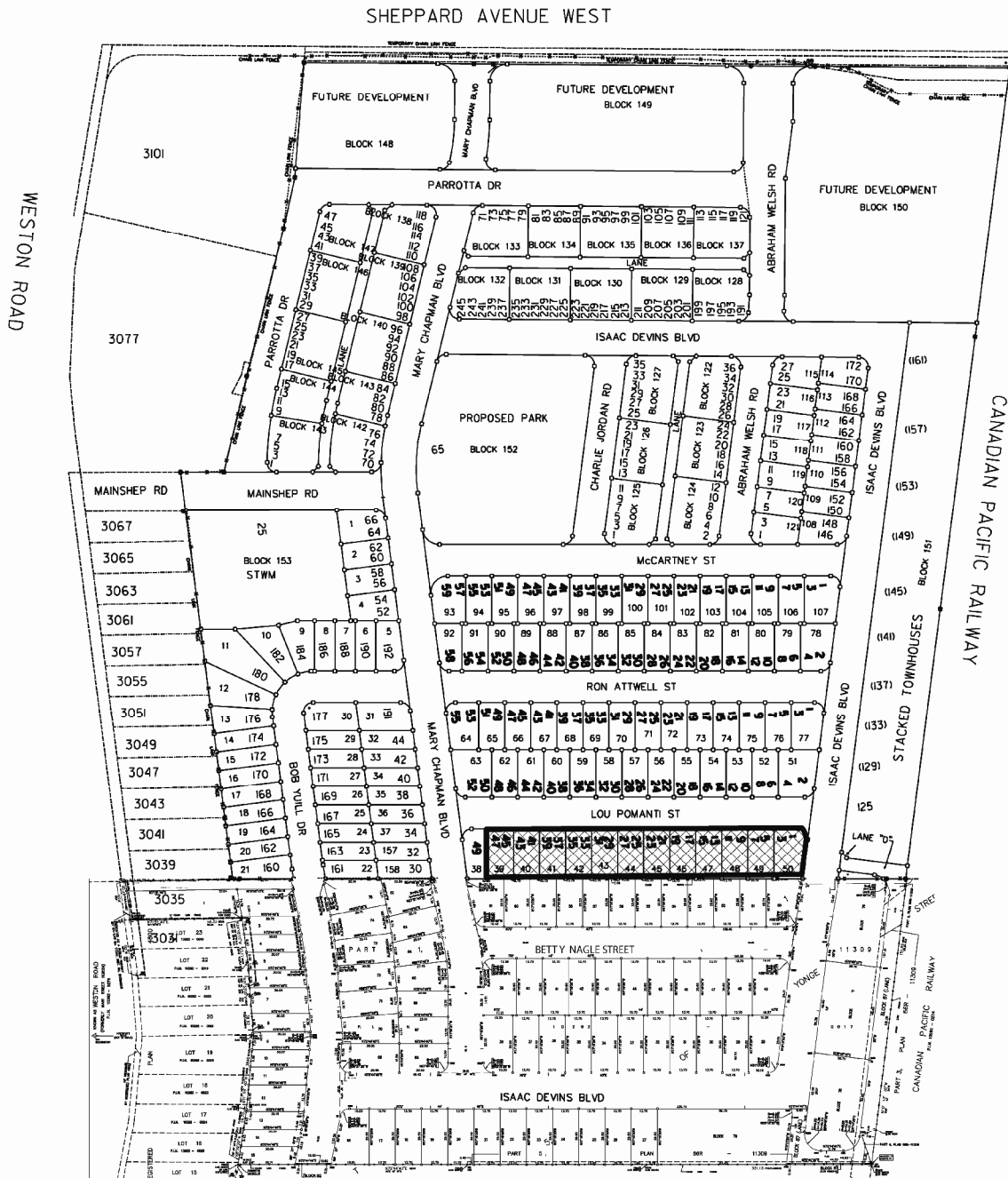
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Part Lot Control Exemption Plan

Attachment 1: Part Lot Control Exemption Plan



Part Lot Control Site Plan
Applicant's Submitted Drawing

1- 47 (odd numbers only) Lou Pomanti Street

Not to Scale
05/01/2013



Subject Lots

File # 13 156786 WET 07 PL