



REPORT FOR ACTION

844 Don Mills Road & 1150 Eglinton Avenue East (Block 8) – Part Lot Control Exemption Application – Decision Report – Approval

Date: May 7, 2026

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 16 - Don Valley East

Planning Application Number: 25 257728 NNY 16 PL

Related Planning Application Numbers: 16 236387 NNY 26 OZ, 21 243786 NNY 16 SA, and 25 257737 NNY 16 CD

SUMMARY

This Report recommends approval of the application to exempt the lands from the Part Lot Control provisions of the *Planning Act* for the lands municipally known as 844 Don Mills Road and 1150 Eglinton Avenue East (Block 8) to permit the creation of conveyable lots for eighty townhouse units.

This application will facilitate the creation of eighty Parcels of Tied Land (POTLs) for the proposed townhouse units (Parts 1-80). Part 81 is comprised of a 6.40-metre wide private laneway and below-grade adjacent watermain that functions as the Common Elements Condominium Parcel to service all eighty of the above-mentioned Parcels of Tied Land as proposed. Parts 82-93, are private sidewalks that are to be maintained by the Condominium Corporation and provide pedestrian access to the municipal streets. Parts 94-165 illustrate maintenance access areas that are to be established between the respective adjoining parcels of tied land, as shown on Attachment 3.

A related Common Elements Condominium application (File No. 25 257737 NNY 16 CD) has been submitted to establish the proposed private laneway, private sidewalks, and maintenance access areas as part of a Common Elements condominium corporation to service all eighty townhouses, as shown on Attachment 3. All eighty residential townhouses are freehold units established as Parcels of Tied Land tied to the Common Elements private laneway.

The proposed development is consistent with the Provincial Planning Statement (2024) and conforms to the Official Plan. The lifting of Part Lot Control is appropriate for the orderly development of these lands.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council enact a Part Lot Control Exemption By-law for the lands municipally known as 844 Don Mills Road and 1150 Eglinton Avenue East (Block 8) substantially in accordance with the draft Part Lot Control Exemption By-law included as Attachment # 5, and as generally illustrated on the Part Lot Control Plan on Attachment # 3, to be prepared to the satisfaction of the City Solicitor and to expire two (2) years following enactment by City Council.
2. Prior to the introduction of the Part Lot Control Exemption By-law, City Council require the owner to:
 - a. provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor; and
 - b. register, to the satisfaction of the City Solicitor, a Section 118 Restriction under *the Land Titles Act* agreeing not to transfer or charge any part of the subject lands described in Schedule "A" to this Report, without prior written consent of the Executive Director, Development Review or their designate to the satisfaction of the City Solicitor.
3. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from all or any portion of the lands in the City Solicitor's sole discretion after consulting with the Executive Director, Development Review at such time as confirmation is received that a plan of condominium has been registered or upon expiry or repeal of the Part Lot Control Exemption By-law.
4. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.
5. City Council authorize the City Solicitor to repeal or amend the Part Lot Control Exemption By-law to delete part of the lands described in the by-law, if the City Solicitor determines, in their sole discretion after consulting with the Executive Director, Development Review, that it is necessary prior to releasing or partially releasing the 118 Restriction from title.
6. 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 Development Review Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

The application to amend the Official Plan and Zoning By-Law for the lands encompassing the subject site (File No. 16 236387 NNY 26 OZ) was appealed to the Local Planning Appeal Tribunal (the “LPAT”) in 2018 following City’s failure to make a decision on the Application within the timeframes prescribed under the Planning Act (Case No. PL171369). On January 21, 2019, the LPAT provided conditional approval for the application to amend the Official Plan and Zoning By-Law for the lands encompassing the subject site (Decision No. PL171371). On July 10, 2019, the LPAT provided final approval for the application to amend the Official Plan and Zoning By-Law permitting the development of the proposed townhouses on site (Decision No. PL171372).

The related Site Plan Control application was approved by the City on July 15, 2025 (21 243786 NNY 16 SA).

THE SITE AND SURROUNDING LANDS

Description

The subject site is located northwest of Don Mills Road and Eglinton Avenue East. See Attachment # 1 for the Location Map.

Surrounding Uses

North: Vacant parcel associated with an approved development for a 3-storey block of townhouses and back-to-back townhouses (File No. 16 236387 NNY 26 OZ).

South: Vacant parcel of land. There is an associated development application for a 46-storey and 42-storey residential building (File Nos. 25 206673 NNY 16 OZ and 25 183450 NNY 16 SA).

East: Vacant parcel associated with an approved development for a 4-storey block of townhouses and a 34-storey mixed use tall building (File No. 25 206673 NNY 16 OZ).

West: 39, 35, and 34-storey residential tall buildings, an 8-storey residential midrise building, and 4-storey block of townhouses (16 236387 NNY 26 OZ and 19 242909 NNY 16 SA).

THE APPLICATION

Description

This application will facilitate the creation of eighty Parcels of Tied Land (POTLs) for the proposed townhouse units (Parts 1-80). Part 81 is comprised of a 6.40-metre wide private laneway and below-grade adjacent watermain that functions as the Common Elements Condominium Parcel to service all eighty of the above-mentioned Parcels of Tied Land as proposed. Parts 82-93, are private sidewalks that are to be maintained by the Condominium Corporation and provide pedestrian access to the municipal streets. Parts 94-165 illustrate maintenance access areas that are to be established between the respective adjoining parcels of tied land, as shown on Attachment 3.

Additional Information

See Attachments # 1 and 4 of this Report for the Location Map and Application Data Sheet. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre ([Application Information Centre - 844 Don Mills Road & 1150 Eglinton Avenue East \(Block 8\)](#)).

Agency Circulation Outcomes

The application together with the applicable documentation submitted, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and drafting the Part Lot Control Exemption By-law.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024) (the "PPS"), and shall conform to provincial plans.

Official Plan

Official Plan Land Use Map 20 designates the subject site as *Mixed Use Areas*. *Mixed Use Areas* are intended to be comprised of a broad range of commercial, residential and institutional uses, in single use or mixed-use buildings, as well as parks and open spaces and utilities.

The site is also subject to the land use and built form policies of the Don Mills Crossing Secondary Plan. As per Secondary Plan Map 40-5 – Land Use Designations, the site is

designated as “Apartment Neighbourhoods C”. The Apartment Neighbourhoods C land use designation permits residential uses in low-rise buildings no greater than 4 storeys in height, as well as parks, local institutions, cultural and recreational facilities.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Zoning

The subject site is zoned Residential Townhouse RT (d0.0) (174) under the City of Toronto Zoning By-law 569-2013 as amended. The site-specific zoning category permits the eighty proposed townhouse units on the site subject to specific performance standards.

Site Plan Control

A Site Plan Control Application (21 243786 NNY 16 SA) for the site was submitted on December 1, 2021. The Notice of Approval Conditions was issued on July 15, 2025. The Site Plan Agreement between the City of Toronto and the Owner was registered on October 10, 2025, and final Site Plan approval was granted on October 10, 2025.

COMMENTS

Provincial Planning Statement and Provincial Plans

The PPS encourages intensification and redevelopment in urban areas. The proposed development promotes intensification through a compact urban form and allows for the orderly development of the lands that conforms to the Official Plan. Staff find the proposal consistent with the PPS.

Land Division

This application will facilitate the creation of eighty Parcels of Tied Land (POTLs) for the proposed townhouse units (Parts 1-80). Part 81 is comprised of a 6.40-metre wide private laneway and below-grade adjacent watermain that functions as the Common Elements Condominium Parcel to service all eighty of the above-mentioned Parcels of Tied Land as proposed. Parts 82-93, both inclusive, illustrate easements that are to be in favour of the Common Elements being sidewalks that are to be maintained by the Condominium Corporation and provides pedestrian access to the municipal streets. Parts 94-165, both inclusive, illustrate maintenance easements that are to be established between the respective adjoining parcels of tied land, as shown on Attachment 3.

A related Common Elements Condominium application (File No. 25 257737 NNY 16 CD) has been submitted to establish the proposed private laneway, private sidewalks,

and maintenance easements as part of a Common Elements condominium corporation to service all eighty townhouses, as shown on Attachment 3. All eighty residential townhouses are freehold units established as Parcels of Tied Land tied to the Common Elements private laneway.

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 lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development as per the site specific zoning by-law.

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.

Prior to enactment of the Part Lot Control Exemption By-law, staff recommends the owner register a Section 118 Restriction under the *Land Titles Act*. The restriction requires the owner to agree not to convey or mortgage any part of the lands without the prior written consent of the Executive Director, Development Review. This enables the City to ensure that the Part Lot Control exemption is not unlimited and that appropriate mechanisms are secured to support the development as described in this Report. The Section 118 Restriction is also used to prevent the conveyance of the future POTLs, and the parcels intended for the residential dwellings until the common elements condominium is registered.

CONCLUSION

The proposal has been reviewed against the policies of the PPS (2024) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2024), and conforms with the Official Plan. Staff recommend that Council approve the Application and enact a Part Lot Control Exemption By-law with respect to the subject lands.

CONTACT

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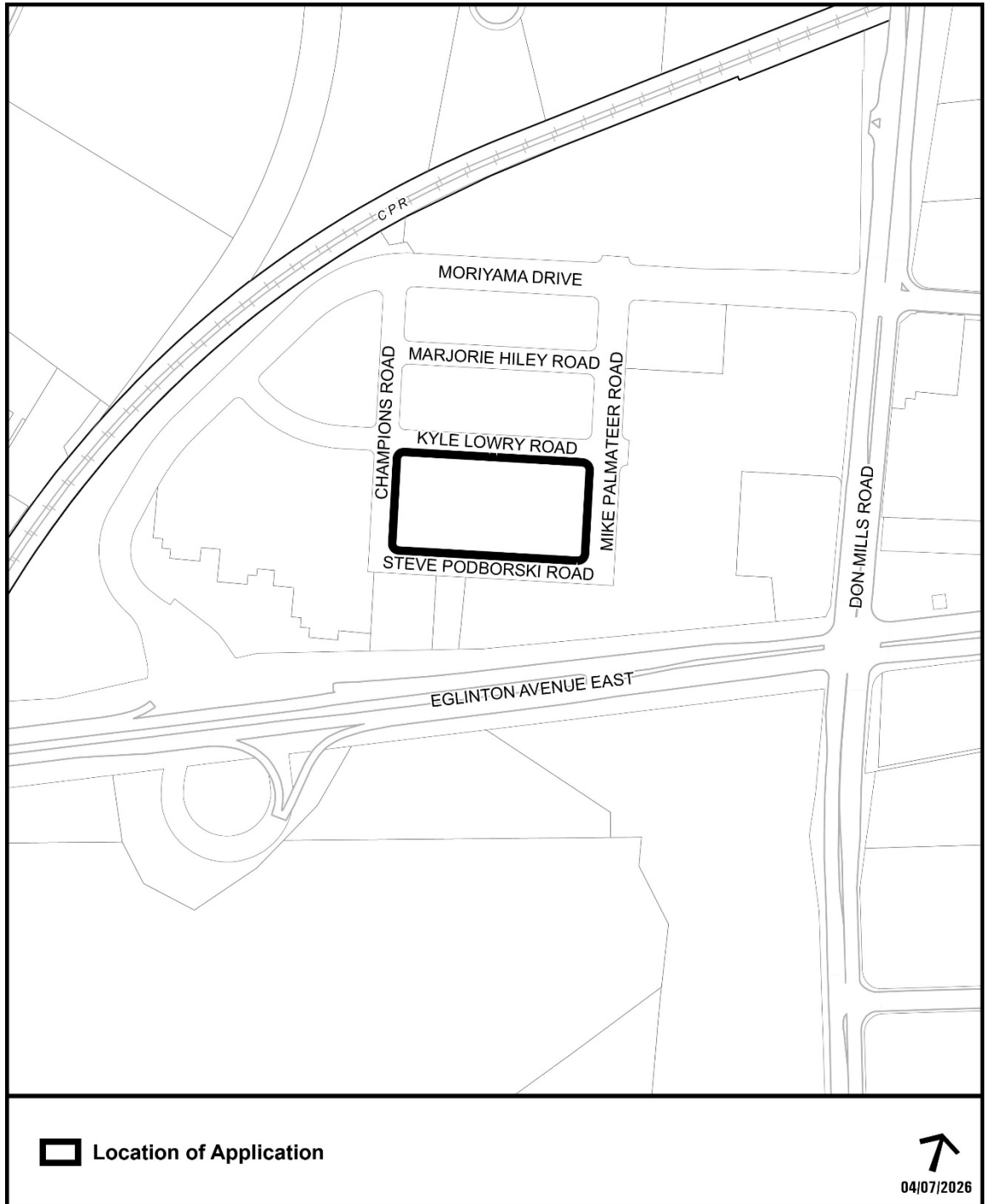
SIGNATURE

David Sit, MCIP, RPP
Director, Community Planning
North York District

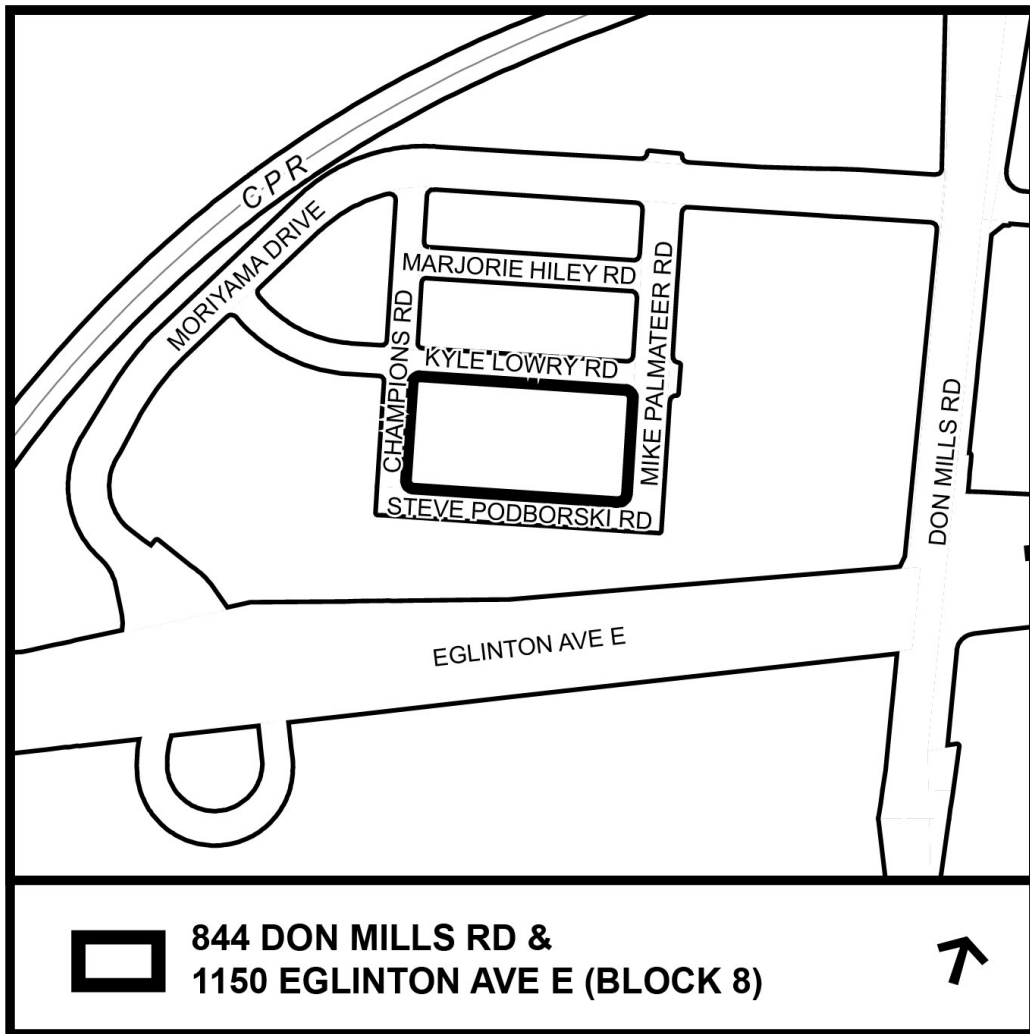
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Key Map
Attachment 3: Draft Part Lot Control Exemption Plan
Attachment 4: Application Data Sheet
Attachment 5: Draft Part Lot Control Exemption By-law

Attachment 1: Location Map



Attachment 2: Key Map



Attachment 4: Application Data Sheet

Municipal Address: 844 DON MILLS ROAD & 1150 EGLINTON AVENUE EAST (BLOCK 8) **Date Received:** November 24, 2025

Application Number: 25 257728 NNY 16 PL

Application Type: Part Lot Control Exemption

Project Description: Application for Part Lot Control with respect to 165 parts for eighty townhomes.

Applicant	Agent	Architect	Owner
RADY PENTEK AND EDWARD SURVEYING LTD			DON MILLS (ARH) HOMES LTD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	RT (d0.0) (174)	Heritage Designation:	N
Height Limit (m):	10.0	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 12,405 Frontage (m): 156.0 Depth (m): 79.65

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	0	0	6,895.56	6,895.56
Residential GFA (sq m):	0	0	14,960.40	14,960.40
Non-Residential GFA (sq m):	0	0	0	0
Total GFA (sq m):	0	0	14,960.40	14,960.40
Height - Storeys:	0	0	3	3
Height - Metres:	0	0	14	14

Lot Coverage Ratio (%): 55.59 Floor Space Index: 1.21

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	14,960.40	0
Retail GFA:	0	0
Office GFA:	0	0
Industrial GFA:	0	0
Institutional/Other GFA:	0	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	0	0	80	80
Condominium:				
Other:				
Total Units:	0	0	80	80

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					80
Total Units:					80

Parking and Loading

Parking Spaces: 80 Bicycle Parking Spaces: 0 Loading Docks: 0

CONTACT:

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Attachment 5: Draft Part Lot Control Exemption By-Law (and Schedule A)

Authority: North York Community Council Item NY_____, as adopted by City of Toronto Council on _____, 2026

CITY OF TORONTO
Bill No. _____
BY-LAW _____-2026

To exempt lands municipally known as 844 Don Mills Road and 1150 Eglinton Avenue East (Block 8), from part lot control.

WHEREAS authority is given to Council by subsection 50(7) of the Planning Act, R.S.O. 1990, C. P.13, as amended, to pass this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Subsection 50(5) of the Planning Act, R.S.O. 1990, C. P.13, as amended, does not apply to the lands described in the attached Schedule "A".
2. This By-law expires two years from the date of its enactment by Council.

Enacted and passed on, _____, 2026.

Frances Nunziata, John Elvidge
Speaker City Clerk

(Seal of the City)

Schedule “A”

Municipal Address:

844 Don Mills Road & 1150 Eglinton Avenue East (Block 8)

Legal Description:

CON 3 EY PT LOTS 1 & 2 64R14728 PARTS 2 TO 11 **GRID N1629