

Authority: Humber York Community Council Report No. 11, Clause No. 51,  
as adopted by City of Toronto Council on October 1, 2 and 3, 2002  
Enacted by Council: October 3, 2002

**CITY OF TORONTO**

**BY-LAW No. 834-2002**

**To adopt an amendment to the former City of Toronto Part I Official Plan in respect of the lands municipally known in the year 2002 as 274 St. John's Road, 637 Runnymede Road and 40 Fisken Avenue.**

WHEREAS the Council of the City of Toronto has been requested to amend its Official Plan, pursuant to the *Planning Act*, R.S.O. 1990 c.P. 13, as amended, respecting the lands municipally known in the year 2002 as 274 St. John's Road, 637 Runnymede Road and 40 Fisken Avenue; and

WHEREAS the Humber York Community Council conducted a public meeting on September 17, 2002 under Section 17 of the *Planning Act* regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on October 1, 2 and 3, 2002 determined to amend the Official Plan for the former City of Toronto;

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

1. The text and maps annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 243.

ENACTED AND PASSED this 3rd day of October, A.D. 2002.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE “A”**

1. Section 18 of the Official Plan Part I for the former City of Toronto is amended by Inserting a new Section 18.577, as follows:

**“18.577      LANDS MUNICIPALLY KNOWN IN THE YEAR 2002 AS  
274 ST. JOHN’S ROAD, 637 RUNNYMEDE ROAD AND  
40 FISKEN AVENUE**

274 St. John’s Road, 637 Runnymede Road and 40 Fisken Avenue

See Map 18.577 at the end of this Section

- (a) Notwithstanding those provisions of this Plan which may restrict the density of the lands shown on Map 18.577, (the “*Site*”), and notwithstanding height and density restrictions in the zoning by-law applicable to the *Site*, Council may pass a by-law permitting additional heights and densities of development on the *Site* to permit the erection and use of a combined public hospital and home for the aged (the “*long term care facility*”) and uses accessory thereto, provided that,
1. the total *gross floor area* for all buildings and structures on the *Site* does not exceed 26,000 square metres of which the total *non-residential gross floor area* shall be 26,000 square metres and the total *residential gross floor area* shall be 0 square metres;
  2. pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the *Site* (the “*owner*”) to provide the City of Toronto, in return for the densities and height permissions thereby granted, with the following facilities, services and matters:
    - (a) the *owner* is to provide and maintain consolidated landscaping of 350 m<sup>2</sup> at the corner of Fisken Avenue and St. John’s Road (the “*publicly assessable open space*”);
    - (b) the *owner* is to make the *publicly assessable open space* available to the community for passive enjoyment and shall ensure that it is open and accessible to the general public, for that purpose, 24 hours a day seven days a week such that the public has the right to use such lands and that access may be refused or a person required to leave such lands only in the case of a person who,

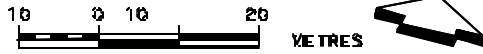
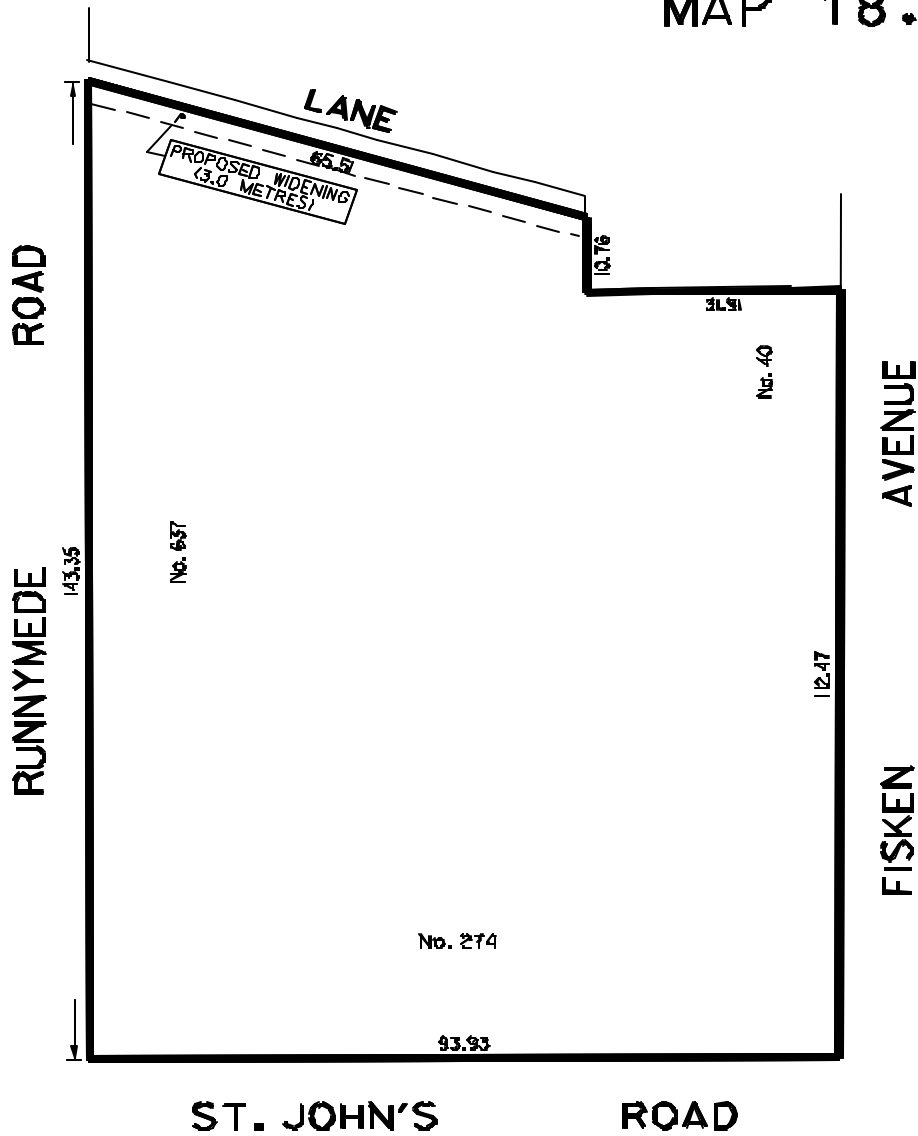
- (1) unreasonably interferes with other members of the public or lawful occupants of the *Site*,
- (2) carries on an unlawful activity,
- (3) acts in a manner unreasonably inconsistent with the intended use of the lands,
- (4) injures or attempts to injure any person, property or property rights,
- (5) obstructs or injures any lawful business or occupation carried on by the *owner* or person in lawful possession of any component of the *Site*, or
- (6) commits any criminal or quasi-criminal offence.

- (a) In addition to the rights of public access to the *publicly assessable open space* as secured by the above provisions, the *owner* shall also grant an easement in a form acceptable to the City Solicitor, in perpetuity to the City, and at no cost to the City, to permit such public use of the *publicly assessable open space*.

and

3. the owner of the *Site* is required to enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the provision of the said facilities, services and matters, in a form satisfactory to the City Solicitor registered with priority”.

# MAP 18.577



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO OCTOBER, 2002  
 CPAGE/18577.DGN  
 FILE: R8-21  
 MAP No. 47J-322 DRAWN: D.R.