

CITY OF TORONTO

BY-LAW No. 738-2004(OMB)

To adopt Amendment No. 533 to the Official Plan for the former City of North York with respect to lands known municipally as 20 Graydon Hall Drive.

WHEREAS the Ontario Municipal Board pursuant to Decision/Order No. 1719 issued on December 18, 2002 and Decision/Order No. 1288 issued on September 29, 2003, under Section 22(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan for the former City of North York;

THEREFORE the Official Plan for the former City of North York is amended as follows:

1. Amendment No. 533 to the Official Plan of the former City of North York, consisting of the attached text is hereby adopted.

AMENDMENT NO. 533
TO THE OFFICIAL PLAN
OF THE FORMER CITY OF NORTH YORK

The following text constitutes Amendment No. 533, being an amendment to the provisions of the Official Plan for the City of North York.

The sections headed “Purpose”, “Location” and “Basis” are explanatory only and shall not constitute part of this amendment.

PART ONE – PREAMBLE

1.1 PURPOSE

These lands are designated in the former City of North York Official Plan as “Residential Density 4 (RD4)” which provides for multiple unit housing of all types (FSI 1.5). The “Site” lands are the subject of a private Official Plan amendment, intended to introduce a Section C.9 site-specific statement permitting the residential intensification of these lands in conformity with the policies of this plan and further enabling additional Section 37 considerations.

1.2 LOCATION

Official Plan Amendment No. 533 affects the lands at 20 Graydon Hall Drive in the City of Toronto (North York).

1.3 BASIS

The purpose and effect of Official Plan Amendment No. 533 is to introduce a Section C.9 site-specific statement permitting an infill residential intensification consisting of a 14-storey, 124 residential unit apartment building and two (2) townhouse buildings containing 12 units each for a total of 148 residential units, in addition to existing residential development, on site. The proposed development is consistent and in conformity with the policies of the North York Official Plan. The Section C.9 site-specific statement also further enables and outlines additional Section 37 Agreement considerations.

PART TWO – THE AMENDMENT

INTRODUCTION

2.1 All of this part of the Amendment, consisting of the following text constitutes Amendment No. 533 to the Official Plan for the former North York planning area. The plan is hereby amended as follows:

2.2 TEXT CHANGES

Part C.9 - Specific Development – of the Official Plan is amended by adding the following clause:

Part C.9 (242) - LANDS LOCATED AT 20 GRAYDON HALL DRIVE.

Notwithstanding its Residential Density 4 designation and subject to entering into an Agreement under Section 37 of the *Planning Act*, this site may be developed to a maximum residential density of 2.5 F.S.I. and 450 units provided that:

- (a) the owner of the lands, at its expense and in accordance with and subject to the Section 37 Agreement referred to above and in subsection (b) herein:
 - (i) the owner will make a cash contribution to the City, over and above any contributions made pursuant to Section 42 of the *Planning Act*, in the amount of \$200,000.00 for parks improvements to Graydon Hall Park to the satisfaction of the Commissioner of Economic Development in consultation with the local Councillor; to be paid to the City prior to issuance of the first building permit for a building on this site;
 - (ii) the owner will construct, furnish, equip and maintain an indoor recreational amenity area of not less than 131 m² on the lands for use by the residents of the lands, construction of such space to be commenced no later than the date of the issuance of the first above-grade building permit for the first residential building to be erected on site subsequent to the enactment of this By-law and completed, furnished, equipped and ready for use no later than the date of the first occupancy of the first new residential building erected on site;
 - (iii) the owner shall make the indoor amenity area required in clause (ii) herein available on the basis of not less than 12 days a year, for a maximum of 8 hours per day, for use by community groups with the determination of these groups and scheduling of times and days to be mutually agreed to by the area Councillor, Commissioner of Urban Development Services, Commissioner of Economic Development, Culture, and Tourism, and the owner of Building A. This obligation will be for a period of 15 years commencing on the later of the date the amenity area is constructed, furnished and equipped;

- (iv) the owner will construct, equip and maintain for use by the residents of the site an outdoor playground having a total area of not less than 385 m² on the site, such equipment to comprise CSA approved material for children aged 2 to 12 years; this play area to be completed, furnished, and ready for use no later than the first occupancy of the first new residential building on site;
 - (v) the owner agrees to not apply for condominium conversion, in respect of the buildings which exist on the site on December 1, 2002 and are permitted to be erected on the site under this exception pursuant to the *Condominium Act* S.O. 1998, c.19 (as amended) for a minimum period of ten (10) years from the date this By-law comes into full force and effect;
 - (vi) the owner agrees not to demolish the building which exists on the site on December 1, 2002 and the buildings which are permitted to be erected on the site under this exception, or apply for a demolition permit in respect thereof, for a minimum period of twenty (20) years after the date this By-law comes into full force and effect;
 - (vii) that the costs of providing the indoor and outdoor amenity areas shall not be passed on to the tenants of Building A who are in occupancy of a unit at the date of completion of these areas; and,
 - (viii) letters of credit will be provided to the City of Toronto to secure the completion and equipping of the outdoor amenity area required in clause (iv) herein prior to the issuance of the first above-grade building permit for the site.
- (b) the owner of the lands enters into an Agreement with the City of Toronto, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in subsection (a) herein and such agreement is registered on title to the lands as a first priority, subject only to the fee simple interest in the lands.

PURSUANT TO THE DECISION/ORDER NO. 1719 ISSUED ON DECEMBER 18, 2002 AND DECISION/ORDER NO. 1288 ISSUED ON SEPTEMBER 29, 2003 OF THE ONTARIO MUNICIPAL BOARD IN BOARD CASE NO. PL 020678.