

Attachment 2



Memorandum

Parks, Forestry & Recreation
Brenda Patterson, General Manager

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November 20, 2009

To: Tom Keefe, Director Community Planning North District
Attention: Nimrod Salamon

From: Randy Jones, Acting Supervisor, Development Applications

Subject: **Draft Plan of Subdivision and Zoning By-law Amendment Applications
1, 35 & 40 Fountainhead Road and 470 Sentinel Road
(rezoning application 06-157157NNY 08 OZ)
35 Fountainhead Road (subdivision application 08 180545 NNY 08 SB)
2041098 Ontario Ltd.
Ward 8– York West**

**Recommendations of the North York Community Council
November 10, 2009**

Application Description

The proposal for 470 Sentinel Road and 1, 35 and 40 Fountainhead Road is to permit 1,035 new residential units in 8 condominium apartment buildings with heights ranging from 6 to 12 storeys. The proposal also includes a new public road connecting the west end of Fountainhead Road to Finch Avenue. The four existing 22 storey rental apartment buildings on the lands will be maintained and upgraded.

North York Community Council held a statutory public meeting on November 10, 2009, with the following recommendations made by Community Council relating to Parks, Forestry and Recreation.

Recommendation 2 sub 1(4(b))

2. *Referred the following motion, moved by Councillor Moscoe, to the Director, Community Planning, North York District, for a report back to the North York Community Council for its meeting on January 12, 2010:*
 - “1. *City Council adopt the staff recommendations in the Recommendation Section of the report (October 8, 2009) from the Director, Community Planning, North York District, subject to amending Recommendation 4(b), as follows:*

“4(b) that the recreation centre/childcare centre be constructed as a public facility on City lands (Fountainhead Park) and as close as possible to Sentinel Road.”

Fountainhead Park is located on the north side of Finch Avenue West, east of Sentinel Road. The City owned portion of the park is approximately 2.0 hectares. The park currently contains the following amenities – play structures, bocce courts, tennis courts, mechanical building, grassed play area and parking. Formerly, the park contained an artificial ice rink. The remainder of the greenspace belongs to James Cardinal McGuigan Separate School.

Should a recreational facility be constructed on Fountainhead Park, the cost of the construction must be borne by the developer or some form of outside financing as this project is not in the Capital Budget. Parks, Forestry and Recreation cannot at this time commit to a City run facility. Dependent on the date of completion of the facility, PFR will at that time determine the best operating model - be it PFR or another party.

North York Community Council directs that the facility be located as close as possible to Sentinel Road. To achieve this, the park would have to be redesigned. The existing area proposed for the artificial ice rink and other amenities would have to be removed or relocated on the site dependent on the space requirements.

Associated with a recreational facility is the need for parking. It is estimated that the 1,100m² childcare centre to accommodate 66 children will require 52 parking spaces and the 1,100m² recreation centre will require 39 parking spaces. In total, the building will require 91 spaces.

Recommendation 2 sub 2

2. *The value of the land so vacated by moving the centre (i.e. 2,200 m²) be monetized and provided to the City as a cash contribution to the City to be used towards operating costs for the centre and related capital improvements to Fountainhead Park.*

The determination of the value of the land vacated by moving the recreation centre onto City lands to be used towards operating costs for the recreation centre and related capital improvements to Fountainhead Park will have to be appraised by Appraisal Services in Facilities and Real Estate.

Recommendation 2 sub 8

8. *That North York Community Council recommend that the development portion of this site be increased to 20% cash-in-lieu of parkland dedication, to comply with the maximum 20% recommended within the Parks, Forestry, and Recreation Needs Summary Report for this area and that amount exceeding 15% be secured under the Section 37 agreement. And that this contribution be applied in its entirety for improvements for Fountainhead Park and other parks within Ward 8 in consultation with the Ward Councillor.*

The Planning Applications Unit comments of May 11, 2009 identify that the area being developed by the 8 new condominium buildings occupy a site area of 12,202m² (1.22 hectares). This site area falls between 1 and 5 hectares and would be subject to a 15% parkland dedication under the alternate rate by-law. At the 15% cap, the parkland dedication would be 1,830m² (0.1830 hectares)

The Ward 8 Recreation Needs Summary Report Prepared September 23, 2009 identifies the parkland priority areas in Ward 8 to be the area west of Black Creek in the Jane-Finch Priority Neighbourhood as well as the York University and Downsview Secondary Plan Areas.

As such, the report recommends that the alternate rate of parkland dedication of 0.4/300 dwelling units, up to a maximum of 20% development site, will apply to high density residential developments in parkland acquisition priority areas.

Recommendation 8 of the NYCC decision document requires that the parkland dedication be increased to 20% cash-in-lieu of parkland dedication (CIL) to comply with the recommendation of the Needs Summary Report. This would equate to a CIL equal to the market value of 2,440m² (0.2440 hectares).

North York Community Council recommends that the additional 5% above the required 15 % CIL be secured through the Section 37 Agreement.

The recommendation that the entirety of the CIL funds generated through this development be applied for improvements for Fountainhead Park and other parks within Ward 8 is in contravention of the City's existing CIL policy. The alternative rate by-law requires that the **first 5%** of the CIL is to be deposited into the City's 4 reserve accounts for parkland acquisition and development with the balance of the CIL monies being used to either acquire parkland or improve existing parks in the vicinity of the development where the CIL of parkland dedication originated. In this case, that would amount to the 10% above the first 5% plus the additional 5% secured through Section 37.

Randy Jones
Acting Supervisor, Development Applications
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cc: Costanza Allevato, Manager, Recreation