

Authority: North York Community Council Report No. 4, Clause No. 16,  
as adopted by City of Toronto Council on May 21, 22 and 23, 2003  
Enacted by Council: May 23, 2003

**CITY OF TORONTO**

**BY-LAW No. 449-2003**

**To amend the new City of Toronto Official Plan in relation to density and height  
incentives in the Mixed Use Area and Apartment Neighbourhood in the  
Emery Village Secondary Plan.**

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, c.P. 13, as amended,  
to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and  
has held at least one public meeting in accordance with the *Planning Act*;

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

1. Amendment No. 8 to the New Official Plan of the City of Toronto, consisting of the  
attached Schedule "A", is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED this 23rd day of May, A.D. 2003.

MEL LASTMAN,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

### **SCHEDULE “A”**

The following text constitutes Amendment No. 8 to the New Official Plan of the City of Toronto.

#### **ITEM 1:**

Policies 3.1, 3.2, 3.3 and 3.4 are modified by adding the words *‘exclusive of any incentives discussed in policy 3.5’* after the words *“A maximum density of 2.5 times the lot area is permitted”*.

#### **ITEM 2:**

Policy 3.5(a) and Policy 3.5(c) are deleted and replaced with the following:

“3.5 (a)        *Figure 3.5 shows density incentives for the provision of community benefits in the form of specific uses and facilities on lands designated Mixed Use Area and Apartment Neighbourhood. The gross floor area of such facilities are exempted from the calculation of densities to the extent provided in Figure 3.5, to a maximum development density of 3.0 times the lot area and a maximum height of 18 storeys. The provision and maintenance of such facilities will be secured by appropriate legal agreements, which may include agreements pursuant to Section 37 of the Planning Act”.*

#### **ITEM 3:**

Figure 3.5 “Incentives” is modified by deleting the text in the Incentive column for Private Recreational Use Accessory to a Residential Use and replacing with the following:

*“The gross floor area of private recreational uses, in excess of the requirement of the zoning by-law for the lands for each of indoor and outdoor recreational amenity area per dwelling unit, is exempted from the calculation of g.f.a to a maximum of 1.5 square metres per dwelling unit”.*