

Authority: North York Community Council Item 26.41,
as adopted by City of Toronto Council on May 25, 26 and 27, 2009
Enacted by Council: May 27, 2009

CITY OF TORONTO

BY-LAW No. 581-2009

To adopt Amendment No. 90 to the Official Plan of the City of Toronto in respect of lands located in the North York Centre Secondary Plan area.

WHEREAS authority is given to Council under 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. 90 to the Official Plan of the City of Toronto in respect of lands located in the North York Centre Secondary Plan area, consisting of the attached text, is hereby adopted.

ENACTED AND PASSED this 27th day of May, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

AMENDMENT NO. 90

**TO THE OFFICIAL PLAN OF THE CITY OF TORONTO IN RESPECT OF LANDS
LOCATED IN THE NORTH YORK CENTRE SECONDARY PLAN AREA**

The Official Plan of the City of Toronto is amended as follows:

Clause 1

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by adding at the end of Section 3(b)(ii) the punctuation and words “, except where and to the extent specifically provided for in Figure 3.3.1” so that Section 3.2 reads:

3.2 Density Limits

- (a) The maximum density assigned to lands is shown as Density Limits on Maps 8-6 and 8-7. These densities omit any incentives discussed in Section 3.3 and any transfers discussed in Section 3.4.
- (b) In no event will the City approve a development proposal that:
 - (i) exceeds the amount of actual floor space that can reasonably be accommodated in conformity with applicable policies of this Secondary Plan; and
 - (ii) exceeds the maximum permitted gross floor area as set out in Section 3.2(a) by more than 33 per cent through density incentives and density transfers combined as set out in Sections 3.3 and 3.4, except where and to the extent specifically provided for in Figure 3.3.1.

Clause 2

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by renumbering paragraph (d) in Section 3.3 Density Incentives to (e) and inserting after paragraph (c) the following paragraph (d):

3.3 Density Incentives

- (d) For major office developments in the North York Centre, considered to be commercial or mixed use projects that provide new office space in excess of 15,000 square metres gross floor area, the monetary contribution provided under Section (b) and/or (c) above may be partially or wholly offset by the costs of providing one or more continuous indoor pedestrian connections from the development to a transit terminal. The allowable offset will be proportional to the relative amount of commercial gross floor area provided (calculated as the ratio of commercial gross floor area to total gross floor area for the entire project, multiplied by the amount of the monetary contribution payment otherwise due). The timing of the offset will be secured by appropriate legal agreements.

Clause 3

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by modifying Figure 3.3.1 Incentives to change the seventh and tenth rows of the chart, and add a twelfth row, as follows:

<i>Figure 3.3.1 Incentives</i>	
<i>USE</i>	<i>INCENTIVE</i>
Continuous Indoor Pedestrian Connections to a Transit Terminal <ul style="list-style-type: none"> • owned or operated by a public authority • may include above grade or below grade spaces 	The gross floor area of the pedestrian connection is exempted from the calculation of gross floor area for all developments. In addition, for major office developments (over 15,000 m ²) connected to a transit terminal, the gross floor area of the connection is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii).
Transit Terminal <ul style="list-style-type: none"> • owned or operated by a public authority • may include small-scale retail and service commercial uses within the transit terminal 	The gross floor area of the transit terminal is exempted from the calculation of gross floor area for all developments. In addition, for major office developments (over 15,000 m ²) connected to the transit terminal, the gross floor area of the terminal is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii).
Major Office Development Connected to a Transit Terminal <ul style="list-style-type: none"> • commercial or mixed use project providing new office space in excess of 15,000 square metres gross floor area, linked to a transit terminal by a continuous indoor pedestrian connection 	The monetary contribution provided under Section 3.3(b) and/or (c) may be partially or wholly offset by the costs of providing one or more continuous indoor pedestrian connections to a transit terminal, as specified in Section 3.3(d). The gross floor area of an indoor pedestrian connection to a transit terminal, owned or operated by a public authority, is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii).

	<p>The gross floor area of a transit terminal located within the development site, connected to the development and owned or operated by a public authority, is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii).</p>
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