

Authority: Ontario Municipal Board Order issued on March 8, 2013 in Board File
No. PL111266

CITY OF TORONTO

BY-LAW No. 958-2013(OMB)

To adopt Amendment No. 186 to the Official Plan of the City of Toronto with respect to lands municipally known as 1001 Sheppard Avenue East and 72 Esther Shiner Boulevard.

Whereas the Ontario Municipal Board, by way of the Decision/Order issued on March 8, 2013 hereby amends the Official Plan as follows:

1. The text and maps attached hereto as Schedule "A" are adopted as an Amendment to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 186.

PURSUANT TO ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MARCH 8, 2013 UNDER OMB FILE NO. PL111266.

SCHEDULE "A"

Chapter Four, Land Use Designations, Land Use Map 19, is amended as shown on the attached Map 1.

Chapter Six, Section 9, The Sheppard East Subway Corridor Secondary Plan, Map 9-2, is amended as shown on the attached Map 2.

Chapter Six, Section 9, The Sheppard East Subway Corridor Secondary Plan, Section 4.2.3 (b) is amended to read:

"Development will provide appropriate transitions in density, height and massing toward the stable residential uses on the east side of Bessarion Road."

Chapter Six, Section 9, The Sheppard East Subway Corridor Secondary Plan is amended by adding the following to Section 4.2.3. Mixed Use Areas West of Provost Drive:

- (g) In addition to the uses permitted by the Official Plan on lands designated as Parks within this development node, public school, public community centre, day nursery and public library uses shall be permitted.
- (h) Notwithstanding Policy 4.3.8 of Chapter 4, the sale of parkland to the Toronto District School Board and the Toronto Catholic District School Board for public school purposes on Block 20 and Block 18 shown on Schedule 1 is permitted.
- (i) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with the provisions of the By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following facilities, services and matters to the City at the owner's sole expense, in accordance with an agreement or agreements, in a form satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor and such agreement(s) shall be registered against title to the lands shaded on Schedule 1 to secure the following facilities, services or matters;
 - (i) A contribution of 8 million dollars toward the community centre part of a joint public community facility which is to be located within the Bessarion Node of the Sheppard East Subway Corridor Secondary Plan. The contribution shall be indexed in accordance with the Statistics Canada Quarterly Capital Expenditure Price Statistics from the date that the implementing Zoning By-law comes into force to the date of submission of the funds by the owner to the City. The sum of \$4,468,156.00 (indexed) is to be paid prior to the issuance of the first above-grade building permit on any of the lands shaded on Schedule 1 and the balance of \$3,531,844.00 (indexed) is to be paid upon the earlier of:
 - (a) four years following the date of registration of the Plan of Subdivision containing Block 18 and Block 9 if the School Boards have not exercised the school reserve to purchase Block 18 and Block 9;

- (b) 10 days following the date Block 9 and Block 18 are purchased by a School Board; and
- (c) 30 days following the date by which both School Boards have advised the Owner and the City in writing that they release their school reserves over Block 18 and Block 9.

Following the occurrence of the earlier of (a) – (c) herein, no further building permits shall be issued on any of the lands shaded on Schedule 1 until the payment of said balance has been made.

- (ii) The agreement should also provide an option for construction of the community facility by the owner in accordance with City policies including the Fair Wage Policy and purchasing and procurement policies.
- (iii) The provision of, or as set out in more detail below, funding for a 52 space, 532 m² finished, furnished and equipped day nursery with 290 m² of outdoor play space contiguous to the day nursery, to be provided either on Block 7 or within the community facility on Block 10, all at the discretion of the General Manager, Children Services:
 - (a) in the event that the day nursery is to be provided on Block 7, the day nursery shall be provided by the Owner prior to the registration of the first condominium on Block 7;
 - (b) in the event that the City elects to provide the day nursery within the community facility on Block 10, the City shall provide written notice to the Owner of that election, the Owner will be relieved of its obligation in (a) above, and provision of the funding for the day nursery shall be paid by the Owner to the City the earlier of:
 - (I) the issuance of any above-grade building permit for Block 7; and
 - (II) within 30 days of the Owner being notified in writing by the City that Site Plan Notice of Approval Conditions have been issued in respect of the community facility;
 - (c) as an alternative to (b) and (c) above, the City and the Owner may enter into an agreement for the construction of the day nursery by the Owner in accordance with City policies, including the Fair Wage Policy and purchasing and procurement policies; and

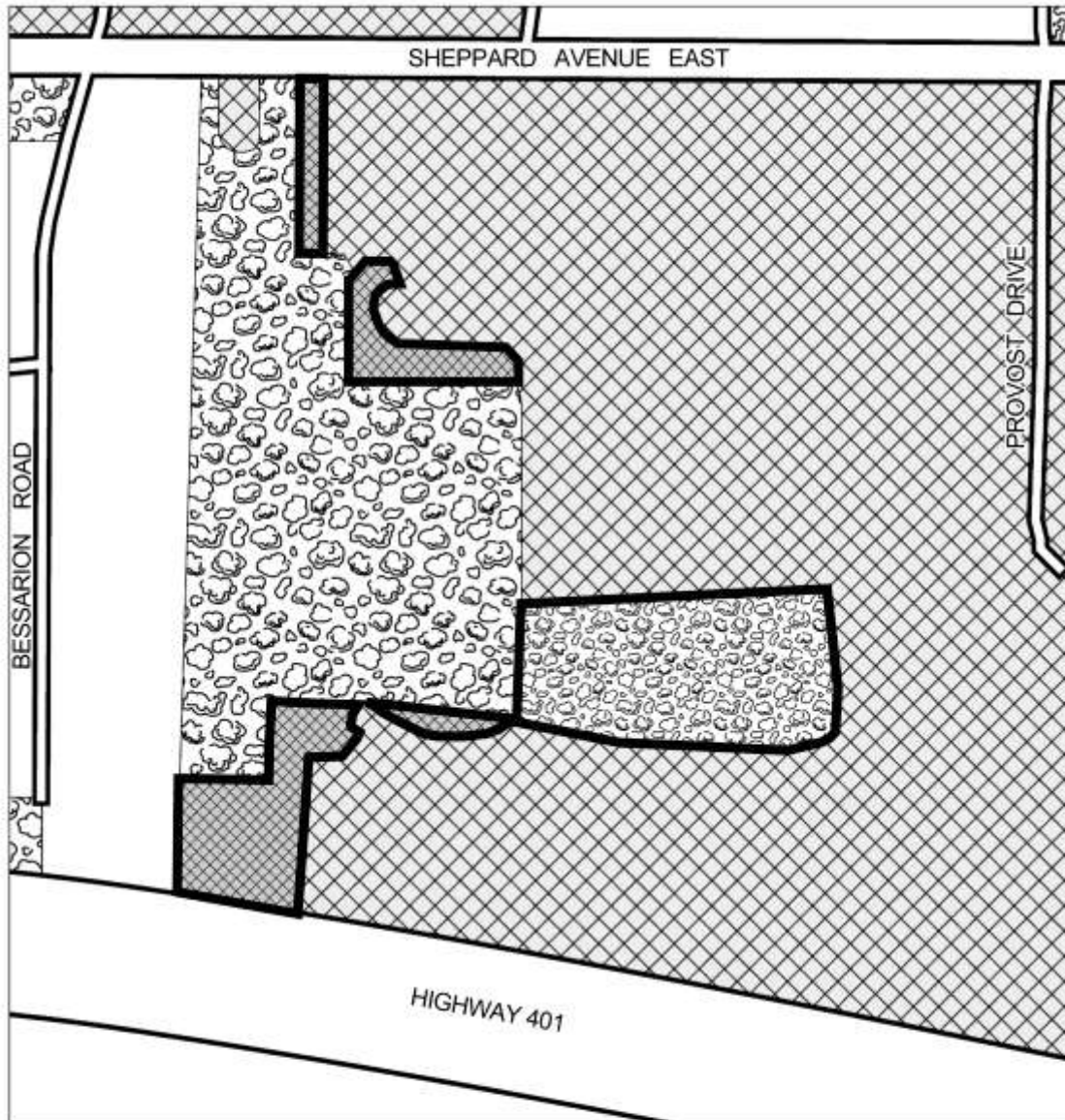
Following the expiration of (b) above, no further building permits shall be issued on any of the lands shaded on Schedule 1 until the payment for the day nursery has been made.

- (iv) The owner is to provide a public art contribution of 1% of the gross construction cost for development, other than for a school or day nursery, constructed on the lands shaded on Schedule 1 in accordance with an updated District Public Art Plan.
- (j) The maximum density of 2.2 floor space index as set out in and illustrated on Map 2 will be allocated throughout the area subject to the density maximum by implementing zoning by-laws.
- (k) A minimum of 10% of the number of dwelling units on each of Blocks 7, 9, 11, 12, 13 and 15 shown on Schedule 1 will have a minimum gross floor area of 100 m².

Chapter Six, Section 9, The Sheppard East Subway Corridor Secondary Plan, Section 7.1, is amended by revising the fourth sentence to read as follows:

A separate or joint use facility may be developed on lands less than 4 hectares where arrangements have been made to the satisfaction of the subject School Board. Prior to site plan approval for any school(s), the relevant School Board will be required to provide a Traffic Operations Plan prepared by a qualified transportation consultant which demonstrates how pedestrian and vehicular activities associated with the school will be accommodated, will identify mitigating measures and will include the adjacent activity of all permitted uses.

MAP 1



TORONTO City Planning

1001 - 1019 Sheppard Ave. E.

Official Plan Amendment #186

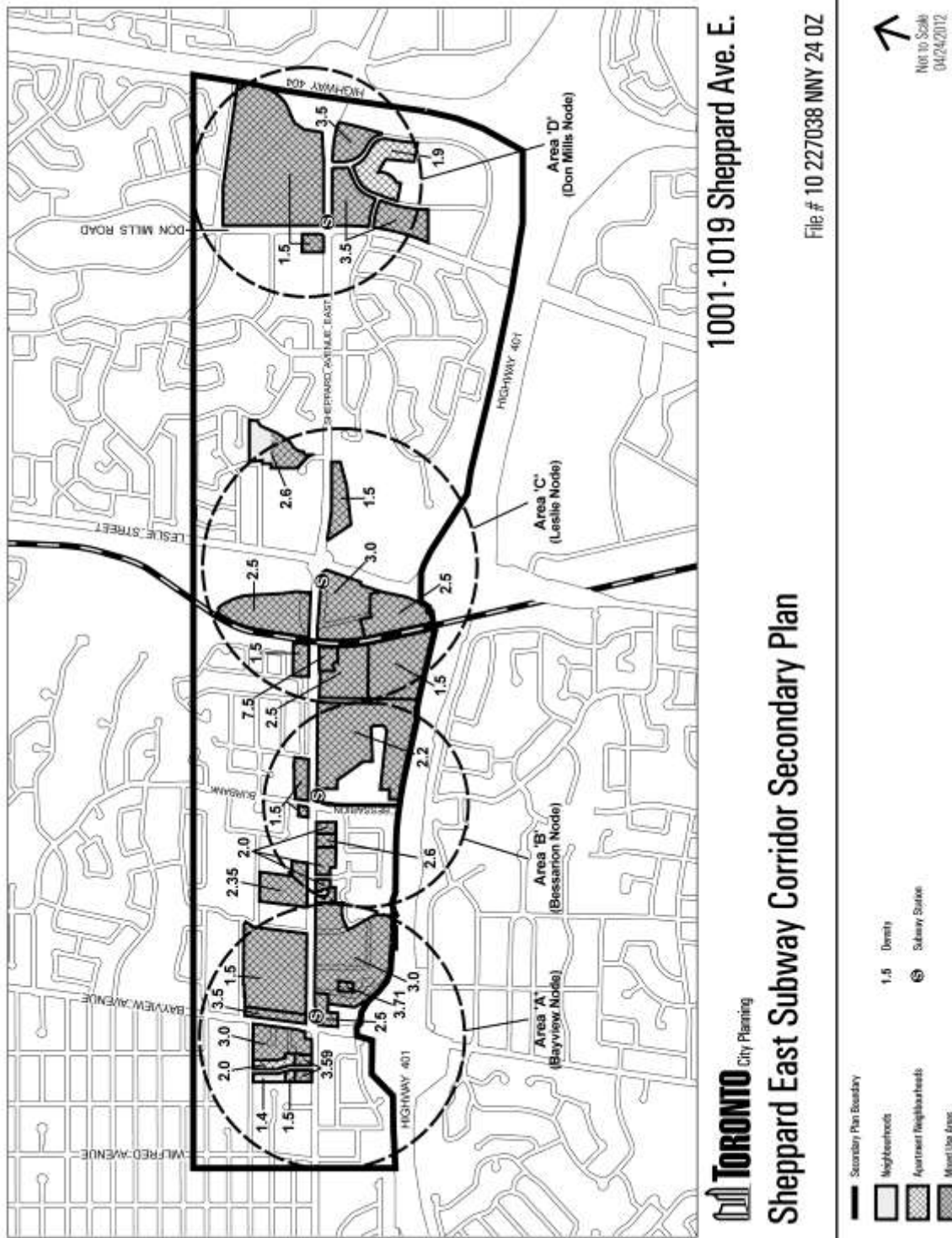
Revisions to Land Use Map 19 to Redesignate lands from 'Mixed Use' to 'Park' & 'Park' to 'Mixed Use'

File # 10_227038 NNY 24 0Z

	Subject Site		Parks & Open Space Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		Mixed Use Areas to Parks
	Mixed Use Areas		Parks to Mixed Use Areas

↑
Not to Scale
04/24/12

MAP 2



Schedule 1 to Official Plan Amendment No. 186