

Authority: North York Community Council Item NY26.2,  
adopted as amended by City of Toronto Council on  
November 9, 10 and 12, 2021

## **CITY OF TORONTO**

### **BY-LAW 194-2022**

**To amend former City of North York Zoning By-law 7625, as amended, with respect to lands municipally known in the year 2021 as 939 Lawrence Avenue East, 966, 1030 and 1090 Don Mills Road and 49 and 75 The Donway West.**

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas the 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; and

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in the height or density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by the former City of North York Zoning By-law 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in the By-law which is secured by one or more agreements between the owner and the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Replacing Section 64.20-A(197), subsection (jj) of the former City of North York Zoning By-law 7625 with the following:

"Section 37 Agreement

Pursuant to Section 37 of the Planning Act and subject to compliance with the provisions of this By-law, the increase in height and density of development on

Parcels 1, 2, 3 and 4 is permitted in return for a cash contribution in the amount of \$17,000,000. Such contribution will be:

- (i) subject to upward indexing from December 31, 2010 in accordance with the Non-Residential buildings [622] Construction Price Index for the Toronto Census Metropolitan, or its successor;
- (ii) utilized toward the construction and outfitting of the City-owned community recreation centre at 844 Don Mills Road; and
- (iii) provided to the City prior to the earlier of:
  - (a) Condominium registration for the earlier of Building B2 or Building D;
  - (b) The issuance of any building permit for 169 The Donway West;
  - (c) The issuance of any building permit for the earlier of Building E or Building G; or
  - (d) The conveyance of 966 Don Mills Road to the City.

2. Deleting Section 64.37(44), subsection (b).

Enacted and passed on March 9, 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)