



**STAFF REPORT
ACTION REQUIRED**

**North York Centre Secondary Plan
Section 37 Density Incentives and
Parkland Dedication Policies - Supplementary Report**

Date:	July 2, 2014
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	23, 24 – Willowdale
Reference Number:	P:\2014\Cluster B\PLN\City Council\CC14110 File Nos. 08 111155 NPS 00 TM (North York Centre – Parkland Dedication Policies) 11 191325 NPS 00 TM (Yonge Street North Planning Study)

SUMMARY

This report summarizes and recommends an amendment to draft Official Plan Amendment No. 249 to the North York Centre Secondary Plan which clarifies how density is to be treated where parkland is conveyed to the City. This revision is as a result of comments received at the June 17, 2014 North York Community Council.

RECOMMENDATIONS

The City Planning Division recommends that City Council:

1. Amend recommendation 1 arising out of the June 17, 2014 North York Community Council meeting by replacing the draft Official Plan Amendment Number 249 attached to the May 28th staff report with a new draft of the Official Plan Amendment in Attachment 1 of the July 2nd staff report;
2. Determine that no further notice is to be given in respect of the proposed OPA and implementing by-law.

DECISION HISTORY

On June 17 2008, North York Community Council adopted without amendment the recommendation from the Director, Community Planning North York District for Council to adopt Official Plan Amendment Number (OPA) 249 regarding Section 37

density incentives and parkland policies in the North York Centre Secondary Plan. Concerns were raised at the June 17 Community Council regarding how the proposed amendment may be interpreted to be lowering densities in the Secondary Plan.

ISSUE BACKGROUND

The draft OPA included a clause (6) to delete Section 6.5 of the North York Secondary Plan applying to parkland dedication rates, so that the policies and alternative rates of the Official Plan would apply to development in North York Centre.

Section 6.5(b) (iii) states that: "The density attributable to the first 5 per cent of the land dedication will be conveyed to the City along with the land."

Deleting this Section of the Secondary Plan made it unclear how density would be treated where parkland was conveyed to the City.

COMMENTS

The intent of deleting Section 6.5(b)(iii) is to encourage an increase in parkland by enabling the density attributable to any dedicated parkland to remain on the site.

To clarify this intent, the revised OPA 249 includes a new clause 9 (underlined) to amend an existing clause in the Secondary Plan and state that the density and permitted gross floor area on a site will be determined based on the area of the site prior to any parkland dedication or conveyance to the City in excess of the required dedication. The density on the first 5 per cent of any parkland conveyed would not therefore be conveyed along with any parkland conveyed. It would remain on the site.

The ability of the remainder of sites to accommodate this potential 5% increase in density will remain subject to the other policies of the Secondary Plan, such as built form and heights. The attached amendment also incorporates minor stylistic and technical changes.

CONTACTS

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ATTACHMENTS

Attachment 1: Draft Amendment to the North York Centre Secondary Plan

Attachment 1: Draft Amendment to the North York Centre Secondary Plan

AMENDMENT NO. 249 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 modifying Section 3.3(c) so that it reads:

3.3 Density Incentives

- (c) The City may also accept a monetary contribution towards the cost of:
 - (i) acquiring land necessary for completion of the Service Roads identified in Sections 8.6 and 8.7, and associated road network and buffer areas;
 - (ii) acquiring for parks purposes additional land serving the *North York Centre*, over and above land obtained pursuant to the parkland dedication policies of the Official Plan; or
 - (iii) improving parkland in the *North York Centre*.

The monetary contribution is to be used for no other purpose. The amount of the contribution will be equal to the market value of the gross floor area obtained through this incentive, as specified in Figure 3.3.1 (Provision of Service Roads, Provision of Parkland, Parkland Improvement).

Clause 2

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

3.3 Density Incentives

- (d) For additional parkland conveyances, over and above the dedication required by the parkland dedication policies of the Official Plan, the gross floor area subject to monetary contribution pursuant to Sections (b) and (c) above may, at the City's sole discretion, instead be exempted in whole or in part by an amount equal to the area of the additional parkland conveyed in accordance with this incentive, as specified in Figure 3.3.1

(Conveyance of Additional Parkland). The land conveyance must be accepted by the City in order for the exemption to take effect.

Clause 3

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by modifying Figure 3.3.1 Incentives to insert, before the last row of the chart, three new rows, as follows:

<i>Figure 3.3.1 Incentives</i>	
<i>USE</i>	<i>INCENTIVE</i>
Provision of Parkland <ul style="list-style-type: none"> • serving the <i>North York Centre</i> • over and above that required by the Official Plan’s parkland dedication policies 	The gross floor area attributable to the monetary contribution.
Parkland Improvement <ul style="list-style-type: none"> • provision or replacement of capital facilities, including amenities, located in public parks in the <i>North York Centre</i> 	The gross floor area attributable to the monetary contribution.
Conveyance of Additional Parkland <ul style="list-style-type: none"> • serving the <i>North York Centre</i> • over and above that required by the Official Plan’s parkland dedication policies • conveyed to the City for nominal consideration • at least 5,000 square metres in area or considered by the City to be otherwise extraordinary and of particular importance to the <i>North York Centre</i> • may include improvements in addition to base park conditioning 	Gross floor area in an amount equal to the area of the additional parkland.

Clause 4

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by deleting the words “subject to the parkland dedication policies in Section 6.5” in Section 3.4.2(a) so that it reads:

(a) Provision of Land for Public Purposes

The gross floor area resulting from the density assigned to land within the *North York Centre* may be transferred if the land is conveyed to the City for nominal consideration for public purposes such as roads, public parks, public recreational centres or other public purposes identified in this Secondary Plan.

Clause 5

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by adding “, density transfers and incentives” to Section 6.3(d)(iii) so that it reads:

6.3(d) The North York Centre Conceptual Parks and Open Space Plan as shown on Map 8-9 will be implemented through the following: ...

(iii) development approval process including parkland dedication, density transfers and density incentives;

Clause 6

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by deleting Section 6.5 regarding “Parkland Dedication” in its entirety and renumbering Sections 6.6, 6.7 and 6.8 accordingly.

Clause 7

Chapter Six, Section 8 (North York Centre Secondary Plan) is further amended by modifying the third row of Figure 3.3.1 Incentives, in relation to “Provision of a Public Recreational Centre”, to read as follows:

<i>Figure 3.3.1 Incentives</i>	
<i>USE</i>	<i>INCENTIVE</i>
Provision of a Public Recreational Centre <ul style="list-style-type: none">• publicly accessible• designed, constructed and equipped to the satisfaction of the City	The gross floor area of the public recreational centre is exempted from the calculation of gross floor area. In addition, the gross floor area of a public recreational centre owned and operated by the City is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii). Such development proposals will nonetheless remain subject to meeting the policies of this Secondary Plan including built form and transportation.

Clause 8

Chapter Six, Section 8 (North York Centre Secondary Plan) is further amended by modifying the fifth row of Figure 3.3.1 Incentives, in relation to “Provision of a Social Facility”, to read as follows:

*Figure 3.3.1
Incentives*

<i>USE</i>	<i>INCENTIVE</i>
Provision of a Social Facility <ul style="list-style-type: none"> • publicly accessible • designed, constructed and equipped to the satisfaction of the City (or a publicly funded school board) • child day care centres, schools, other social facilities approved by the City 	The gross floor area of the social facility is exempted from the calculation of gross floor area and up to 4 times the gross floor area of the social facility is available as an incentive. In addition, the gross floor area of a child day care centre owned by the City and operated by the City or by a non-profit operator chosen by the City, or a new school with new pupil places owned and operated by a publicly funded school board, is not subject to the 33 per cent incentive/transfer limit specified in Section 3.2(b)(ii). Such development proposals will nonetheless remain subject to meeting the policies of this Secondary Plan including built form and transportation.

Clause 9

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by replacing Section 10.4 regarding "Density of Required Land Conveyances" with the following policy:

10.4 Density of Land Conveyed for Public Purposes

Despite any other provision of this Secondary Plan, where a portion of a site is being or has been conveyed to the City for the purpose of:

- (a) widening, realigning, opening or extending a public road, or
- (b) providing public parkland, whether by a required dedication or in excess of a required dedication,

by-laws may be enacted to provide the calculation of permitted gross floor area on the remainder of the site based on the site as it existed prior to the conveyance.