



**STAFF REPORT
ACTION REQUIRED**

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

Date:	May 28, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	23, 24 – Willowdale
Reference Number:	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 Staff’s review of the Section 37 Density Incentives and Parkland Dedication Policies in the North York Centre Secondary Plan and recommends approval of a City-initiated Official Plan Amendment.

The amendment is intended to: increase the amount and quality of parkland within and serving the North York Centre; harmonize the North York Centre parkland dedication policies with the rest of the City; as well as, enable public facilities to be provided through development incentives and not be subject to the density limit in the North York Centre Secondary Plan.

RECOMMENDATIONS

The City Planning Division recommends that City Council:

1. Adopt an amendment to the North York Centre Secondary Plan, substantially in accordance with the draft Official Plan Amendment in Attachment 5;
2. Upon approval of the Official Plan Amendment, bring forward an amendment to Attachment 1(a) of By-law 1420-2007 to include North York Centre as a Secondary Plan area where the Official Plan's Alternative Dedication Rates Apply; and

3. Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

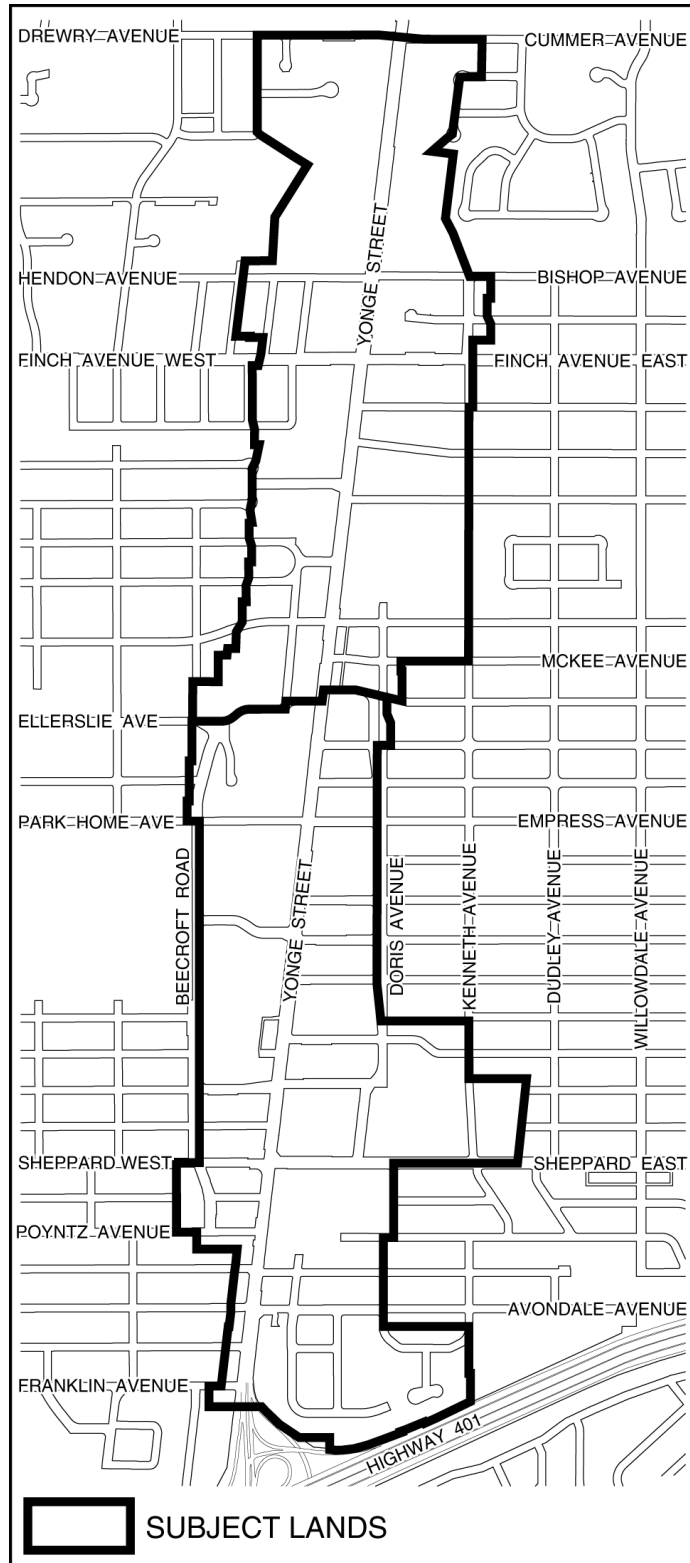
Financial Impact

The financial impact from the proposed amendment would be a potential increase in the amount of cash-in-lieu of parkland dedication received from development in North York Centre.

The North York Centre Secondary Plan currently caps the cash-in-lieu or parkland at 5% regardless of site size, whereas the cash-in-lieu cap in the City of Toronto Official Plan is equal to the amount of land dedicated and rises with site size from 10% to 15% to 20%. Most development sites in North York Centre are less than 1 hectare, and the proposed amendment would generally result in an increase in cash-in-lieu from 5% to 10% of the value of the development site net of any road conveyances.

Deleting the current alternative parkland dedication rate in North York Centre and applying the City-wide parkland dedication rates may result in a net increase in the cash-in-lieu of parkland dedication funds secured in North York Centre;

however, changes to the amount of cash-in-lieu are uncertain as it depends upon the scale and character of development in the Centre, and in particular whether parkland is conveyed to the City on or off site instead of cash-in-lieu contributions.



Parkland dedications and cash-in-lieu contributions, serving the North York Centre, will continue to be monitored and will form the basis of future capital and operating budgets, and/or reserves.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the financial impact information.

DECISION HISTORY

In April 2008, North York Community Council received a report from the Director, Community Planning North York District reviewing and recommending next steps on the issue of parkland dedication rates in the North York Centre Secondary Plan. North York Community Council directed staff to schedule a Community Consultation meeting and report on the results of the review with any recommended draft Secondary Plan Amendment. A community meeting was held in July 2008 however a staff report and recommended Official Plan Amendment was not provided back to Community Council owing to changing work priorities.

In June 2011, North York Community Council received a report initiating the Yonge Street North Planning Study. The Study Area included the north portion of the North York Centre Secondary Plan and included a review of the growth forecasts in light of the planned extension of the Yonge Subway as well as the existing community facilities, parks and open spaces. The study also includes a review of the planning tools that can best achieve the vision for the area based on the lessons learned from the current Secondary Plan policies. Community consultation is being conducted on May 28th on draft policies that could be applied to North York Centre as well as a new Yonge Street North Secondary Plan, that replicate the parkland policies in this proposed amendment.

On April 8, 2014 North York Community Council received a preliminary report from the Director, Community Planning regarding Section 37 Density Incentives and Parkland Dedication policies for the North York Centre. Community Council directed staff to schedule a community consultation meeting, and report back to the June 17, 2014 Community Council on the results of the review and any recommended Official Plan Amendment that also included additional clauses to facilitate the provision of City owned and operated community centres and social facilities. The report is available at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.NY31.35>

ISSUE BACKGROUND

The provision of parkland and community facilities in North York Centre is guided by Provincial legislation, policies and plans, as well as the City's Official Plan, the North York Centre Secondary Plan and the City's Parkland Dedication by-law.

Planning Act

The *Planning Act* enables municipalities to secure up to 5% of the site area for parkland or a cash-in-lieu equivalent for all new residential development. The *Act* also enables an alternative rate of up to 1 hectare for each 300 dwelling units. This alternative rate provides for higher levels of parkland contributions to be provided in areas of higher

density residential development such as the North York Centre. An Official Plan policy must be in effect in order to implement any alternative parkland dedication rate through a by-law.

Provincial Policy Statement (PPS)

The 2014 PPS includes policies to manage and direct land uses to achieve efficient development and land use patterns. The Provincial policies direct planning decisions to accommodate a range of recreation, park and open space uses to meet long term needs. The PPS' public space, parks, trails and open space policies specifically promote healthy, active communities that provide a full range and equitable distribution of publicly-accessible settings for recreation, including parklands.

The PPS defines "*public service facilities*" as "land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and education programs, and cultural services. *Public service facilities* do not include infrastructure." Planning for public service facilities is to be integrated with land use planning so that facilities are available to meet current and projected needs and provided in an efficient and cost-effective manner.

The PPS indicates that public service facilities are to be optimized and provided in an efficient and cost-effective manner to meet projected needs as well as integrated with land use planning decisions.

Growth Plan for the Greater Golden Horseshoe (Growth Plan)

Section 2 of the Growth Plan provides direction to focus growth in intensification areas such as urban growth centres. The Growth Plan identifies North York Centre as an "Urban Growth Centre" and includes a minimum density target. The Growth Plan also encourages "complete communities" with high quality public open space.

Section 3 of the Growth Plan includes broad policies to guide the infrastructure necessary to support growth. This includes the co-ordination of land use planning and "community infrastructure". Community infrastructure refers to "lands, buildings and structures that support the quality of life for people and communities by providing public services for...health, education, recreation, socio-cultural activities..." An appropriate range of community infrastructure is to be planned that fosters "complete communities" which includes convenient access to recreation and open space.

City of Toronto Official Plan

The Parks and Open Spaces policies in section 3.2.3. of the City of Toronto Official Plan provide a context and directions for maintaining, enhancing and expanding parks. The Official Plan outlines factors that will be considered in acquiring future parkland acquisition such as the amount of existing parkland in an area, the amount of growth expected, the amount of publicly accessible open space and the opportunities to link them all together. Existing parks, hectares of parkland per 1,000 people, and the City's parks planning areas, are shown on Maps 8A, 8B and 8C respectively.

The Official Plan also outlines the City's parkland dedication rates including the alternative parkland dedication rate for residential development (Attachment 1).

Where development occurs in areas where there is low parkland provision, the Official Plan includes direction to, wherever possible, secure new parkland rather than cash-in-lieu of parkland. Policy is also provided to facilitate off-site parkland dedication where on-site parkland is not feasible. Among other matters, parkland should be visible and accessible from public streets, have a usable size, shape and topography, and be linked with other parks and green spaces.

North York Centre Secondary Plan

The current Parkland Dedication policies in North York Centre were developed and incorporated into the Secondary Plan as part of a review of the Secondary Plan by the former City of North York (Attachment 2). These policies were simply carried forward when the new amalgamated City of Toronto Official Plan was adopted by Council in 2002. Where there is a conflict between the policies in the Secondary Plan and the Official Plan, as in this case, the Secondary Plan parkland policies prevail.

The Secondary Plan provides for mixed use, higher densities, and concentrations of residents and employment in particular around transit stations. The Secondary Plan supports the retention, replacement provision of new institutional, cultural, entertainment and recreational facilities which are, in addition to parks, permitted uses in all areas of the Secondary Plan.

Density is both defined and assigned to all lands within North York Centre. The available Section 37 density incentives are prescribed and generally limited to increases of no more than 33% over the maximum permitted gross floor area as set out in the Secondary Plan. The only exception is where indoor pedestrian connections are provided as part of a major office development, the floor space of any connection owned or operated by a public authority is not limited by the 33% cap.

The Secondary Plan permits density to be transferred from one site to another where the lands are conveyed for public purposes such as parkland or roads. To help defray costs when the City purchases land for parks or roads, the City may sell the gross floor area on those lands. This does not apply however when parklands is dedicated to the City. In this case the density remains with the lands.

The Secondary Plan also allows increases in density where specific uses or facilities are provided such as public recreational centres or social facilities.

The Section 37 density incentive policies enable community benefits to be secured through monetary contributions from developments. The Secondary Plan allows monetary contributions to be used to purchase lands for the North York Centre Service Road (Beecroft Road and Doris Avenue and Kenneth Avenue, and also for public recreational centres and social facilities (e.g. child care or school facilities.)

The Secondary Plan's Parks and Open Space policies are found in Section 6. The park and open space goals are outlined, and the Conceptual Parks and Open Space Plan (Map 8-9) and the linear park, streetscaping and landscaping elements are described.

Section 6.5 provides the parkland dedication rates for North York Centre, including the alternative rate for residential development, and the characteristics of new parkland (e.g. free from encumbrances, visible, accessible, usable size and shape).

Community facility policies, including how they are supported by the use of density incentives and transfers, are set out in Section 7 of the Secondary Plan.

By-law 1420-2007

By-law 1420-2007 was passed in December of 2007 to implement the alternative parkland dedication rates in the Official Plan (Attachment 3). The By-law came into effect on January 1, 2008 and identified North York Centre as an area where a different alternative parkland dedication rate applies because the Secondary Plan already contained parkland dedication rates (Attachment 4).

Community Consultation

A community consultation meeting was held on Wednesday, May 21. Approximately 30 people attended and were presented with a summary of the proposed draft Official Plan Amendment. Questions and comments from the community were generally about the process the City uses to secure parkland through the development process, about potential improvements to the parks such as benches and washrooms, and the use of publicly accessible open space in proposed developments. There was also some concern about how the proposed amendment would increase the density and scale of buildings in North York Centre and potential associated impacts.

COMMENTS

Key Issues and Proposed Amendment

The proposed amendment to the North York Centre Secondary Plan addresses three key issues through new policies to:

- i) increase the amount of parkland serving North York Centre
- ii) increase the quality of parkland in North York Centre; and
- iii) increase the opportunities for public community facilities in North York Centre.

These Key Issues are discussed below.

i) Increasing the Amount of Parkland Serving North York Centre

North York Centre is similar to other areas of the City experiencing intensification and redevelopment, as there is an ongoing challenge to meet long term parkland needs as the population grows over time. Without a strategy and policies in place to secure additional parkland, the net result of increasing population in intensifying areas is lower per capita levels of parkland. While new parkland has been secured in and around North York Centre, there are additional opportunities for residential growth in North York Centre; and, further reductions in parkland service levels can be expected. This proposed Secondary Plan Amendment emerged from the need to increase the potential amount of parkland serving growth in North York Centre, thereby tempering future reductions in per capita parkland levels as growth in North York Centre continues (Attachment 5).

To help achieve this goal, the proposed amendment includes 3 main components:

- a) Replacing North York Centre Parkland Dedication Rates with City of Toronto Rates
As noted above under financial impact and as noted in the April 2014 Staff Report to Community Council, the alternative parkland dedication rates in North York Centre respecting higher density residential development, are different from most of the rest of the City of Toronto. Where a Secondary Plan such as North York Centre provides for a different alternative parkland dedication rate, the alternative rate in the Secondary Plan prevails.

The following table summarizes the alternative parkland dedication rates in the North York Centre Secondary Plan and City of Toronto Official Plan:

	North York Centre Secondary Plan	City of Toronto Official Plan
Alternative Rate	0.6 hectares/ 560 units	0.4 hectares/ 300 units
Site Area < 1 ha	maximum of 10%	
> 1 ha	maximum of 15%	
> 5 ha	15%	20%

In terms of securing additional parkland, the densities provided by the North York Centre Secondary Plan mean that the alternative rates differences in the North York Centre and City of Toronto (0.6 ha/ 560 units or 0.32 ha/300 units vs. 0.4 ha/300 units) typically result in a unit count and parkland dedication requirement that exceed the maximum based on the site area. The maximum site area caps usually determine the level of parkland to be dedicated.

The result is that changing to the City of Toronto dedication rate will affect development sites that are greater than 5 hectares in area: an increase from 15% to 20% of the land area. As the vast majority of development for higher density residential uses in North York Centre is for sites of less than 5 hectares in size, it is not anticipated that the policy change will have an impact on increasing the supply of parkland. The main impact from changing to the City of Toronto dedication rates is anticipated to come from increased cash-in-lieu of parkland as discussed further below.

b) Using Section 37 Density Incentive Monetary Contributions to Acquire Parkland

The use of monetary contributions is currently limited to the acquisition of lands for the North York Centre Service Road, and for Public Recreational Centres. As the North York Centre Service Road is nearing completion, and lands can be acquired through the development process, the need for funds for Service Road lands is reducing. The proposed amendment enables future density incentive monetary contributions from development to also be used to acquire lands for parks serving North York Centre. This is found in Clause 1 and draft policy 3.3.(c) (ii) of the draft amendment, and listed in Clause 3 and first row of Figure 3.3.1. (Attachment 5).

c) Enabling the Area of Parkland above Required Dedication as Additional Density

In some circumstances, development in North York Centre may be improved, and the community benefit increased, from parkland being conveyed to the City that is above and beyond the minimum levels required by the *Planning Act*. While these opportunities may exist in limited locations, the opportunity has arisen in the case of the Drewry/Inez Court OMB Settlement, and it is appropriate to enable this through a general amendment to the

Secondary Plan. The proposed amendment enables the area (in square metres) of future parkland conveyed to the City, which is over and above the required parkland dedication, to be eligible as additional gross floor area of development. The parkland is to be conveyed to the City for nominal consideration, is to be at least 5,000 square metres in area or of particular importance to achieving a hierarchy of consolidated parks, and may also include other landscape improvements above the "base park" condition of only being planted with grass. The additional parkland must be acceptable to the City to be eligible for this density exemption. These matters are all to be considered and secured as part of a Section 37 Agreement as development is reviewed, and the maximum 33% density increase also applies to this incentive. This is found in Clause 2 and draft policy 3.3.(d) of the draft amendment, and listed in Clause 3 and third row of Figure 3.3.1. (Attachment 5).

ii) Increasing the Quality of Parkland in North York Centre

In intensifying urban areas like North York Centre the amount of parkland appropriately evolves from larger green spaces towards smaller areas of higher-quality and more intensively used urban parks. Smaller parks with more passive uses like benches, water features and hard and soft landscaping provide pleasing pedestrian places that make busy urban areas vibrant and attractive and provide relief from the otherwise dense urban environment. Although possible, large active recreational playing fields are more difficult to achieve and are often more appropriately located away from these areas.

One way to facilitate this evolution is to utilize the cash-in-lieu of parkland provisions from development to make capital and programming improvements to existing parks. The proposed amendment increases the potential cash-in-lieu of parkland dedication by deleting the North York Centre Secondary Plan parkland dedication rate and thereby having the City of Toronto rates apply, thereby removing the 5% cap on cash-in-lieu of parkland, and having the cash-in-lieu cap increase with the required area of land dedication (i.e. to 10%, 15% or 20%). As most development in North York Centre is below 1 hectare in size, the anticipated impact is effectively an increase from a 5% to 10% cash-in-lieu requirement. This is found in Clause 6 of the draft amendment (Attachment 5).

To further assist a transition from large and active recreational play fields to smaller and more urban parks, the proposed amendment enables future density incentive monetary contributions from development to also be used towards parkland improvements for parks in North York Centre. The draft policy presented in Staff's preliminary report on April 8, 2014 and provided at the Community Consultation meeting previously enabled the funds to be used for parks "serving" the North York Centre, and therefore potentially outside of the North York Centre area. For the reasons noted above, the policy in Attachment 5 has been revised to have the funds to be used in North York Centre. The policy is found in Clause 1 and draft policy 3.3.(c) (iii) of the draft amendment and is listed in the second row of Figure 3.3.1 in Clause 3 (Attachment 5).

iii) Increasing Opportunities for Public Community Facilities in North York Centre

In addition to supporting population growth with parkland, the North York Centre Secondary Plan helps to support the long term need for public service facilities such as community centres and social facilities. As noted above, the Secondary Plan enables increases in density where specific uses or facilities are provided such as public recreational centres or social facilities. In addition, while Section 37 funds have been used to develop such facilities, the challenge, like for parklands, has been to provide them in close proximity to the population growth within the Secondary Plan boundary.

In some cases, development sites are physically able to accommodate an additional community facility; however, the community benefit is constrained by the maximum 33 per cent increase in density available through incentives. To help address this issue, the proposed amendment removes the 33 per cent incentive/transfer limit in the case of Public Recreational Centres and Social facilities owned or operated by the City of Toronto or publicly funded school board. While there are legitimate concerns about potential increases in gross floor area beyond what has been planned for in North York Centre, any such application would be part of a review process to determine what (positive or negative) impacts would result, such as for example on building heights and transportation. For this reason, the draft policy has been modified to reiterate that such facilities, like all others in North York Centre, remain subject to meeting the policies of the Secondary Plan. There is also a need to ensure that public service facilities are, and remain, a community benefit. The proposed policy contemplates that such City-owned facilities may also be operated by a non-profit organization under contract to the City of Toronto. Keeping these facilities operating as a public service facility is paramount and should be secured through appropriate legal and operating agreements.

These proposed policy changes are found in Clause 7 (Public Recreational Centre) and 8 (Social Facility) by revising the incentive listed in Figure 3.3.1 (Attachment 5).

Conclusion

The proposed amendment to the North York Centre Secondary Plan is to provide enhanced opportunities to secure additional parkland, improve existing parkland and provide publicly owned recreational and social facilities.

Adoption of the amendment will enhance the funds available through cash-in-lieu of parkland dedication, make available funds from Section 37 Density Incentives for parkland acquisition and improvements, and also enhance the ability of the City to provide public facilities to serve the long terms needs of North York Centre.

CONTACTS

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SIGNATURE

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Community Planning, North York District

ATTACHMENTS

Attachment 1: City of Toronto Official Plan Parkland Dedication Rate Policies
Attachment 2: North York Centre Secondary Plan Parkland Dedication Rate Policies
Attachment 3: Excerpts of By-law 1420-2007 – Alternative Parkland Dedication By-law
Attachment 4: By-law 1420-2007 Parkland Acquisition Priority Areas
Attachment 5: Draft Amendment to the North York Centre Secondary Plan

**Attachment 1: City of Toronto Official Plan
Parkland Dedication Rate Policies**

“3.2.3.4.

All development will be subject to the dedication of 5 per cent of lands for parks purposes for residential development and 2 per cent for all other uses unless the alternative parkland dedication rate applies.”

”3.2.3.5.

An alternative parkland dedication rate of 0.4 hectares per 300 units will be applied to proposals for residential development and for the residential portion of mixed use development as follows:

- a) the development proposal is in a priority area where Council has identified a need for parkland and enacted an Alternative Parkland Dedication Bylaw;
- b) for sites less than 1 hectare in size, the parkland dedication will not exceed 10 per cent of the development site, net of any conveyances for public road purposes;
- c) for sites 1 hectare to 5 hectares in size, the parkland dedication will not exceed 15 per cent of the development site, net of any conveyances for public road purposes;
- d) for sites greater than 5 hectares in size, the parkland dedication will not exceed 20 per cent of the development site, net of any conveyances for public road purposes;
- e) in no case will the parkland dedication, cash-in-lieu, or combination thereof, be less than 5 per cent of the development site or the value of the development site, net of any conveyances for public road purposes;
- f) where the size, shape or location of the proposed parkland is deemed by Council to be unsuitable for parks or public recreation purposes, Council may require cash-in-lieu. The value of cash-in-lieu will not exceed:
 - i) 10 per cent of the value of the development site, net of any conveyances for public road purposes, for sites less than 1 hectare in size;
 - ii) 15 per cent of the value of the development site, net of any conveyances for public road purposes, for sites 1 hectare to 5 hectares in size;
 - iii) 20 per cent of the value of the development site, net of any conveyances for public road purposes, for sites over 5 hectares in size;
- g) to maximize opportunities to obtain parkland, the dedication of land is preferred to a dedication of cash-in-lieu, especially on sites 1 hectare or greater in size;
- h) any payment of cash-in-lieu of land to be conveyed through the alternative rate provision in excess of 5 per cent of the site area will be used to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development; and
- i) this alternative parkland dedication will not be applied by the City until January 1, 2008. For any complete building permit application that complies with applicable zoning, received prior to January 1, 2008, the City will apply the alternative parkland dedication of the predecessor municipal Official Plan. A complete building permit application is considered to be an application submitted to the Chief Building Official for an above grade building permit which substantially complies with all technical requirements of the *Building Code Act* and includes the payment of all applicable fees. Any Alternative Parkland Dedication By-law enacted by the City prior to January 1, 2008 will conform to these transition policies.”

Attachment 2: North York Centre Secondary Plan Parkland Dedication Rate Policies (current policy)

“6.5 Parkland Dedication

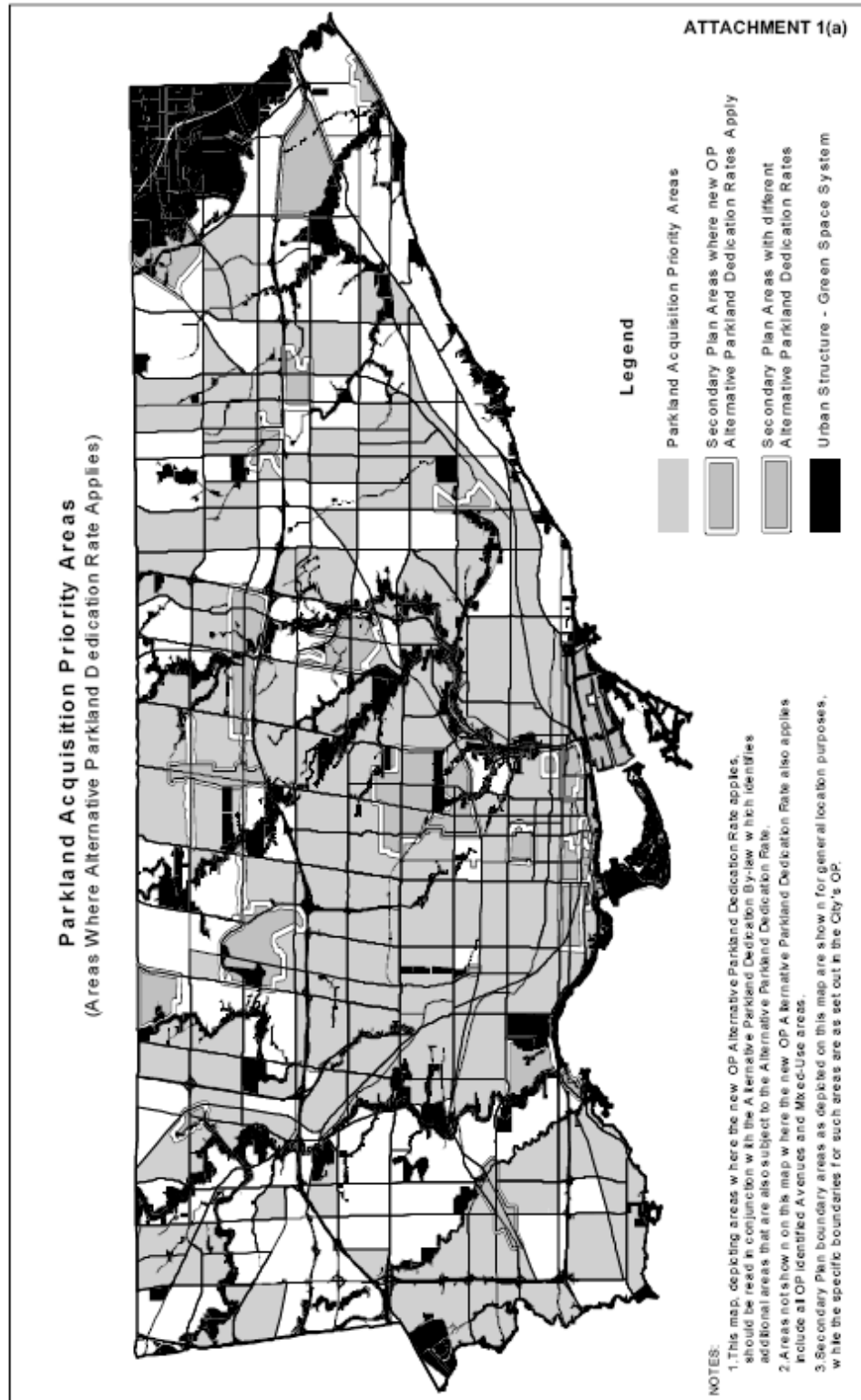
- (a) All development or redevelopment proposals will be subject to sections 42, 51 or 53 of the Planning Act, RSO 1990. Except as provided for in Subsection (b) below, all proposals will be subject to the dedication of 5 per cent of lands for parks purposes for residential development, and 2 per cent for all other uses.
- (b) For residential development in the North York Centre, an alternative parkland dedication rate of 0.6 hectares per 560 dwelling units or portion thereof, will be applied based on a local park standard for the North York Centre of 0.6 hectares per 1,000 population.
 - (i) For sites of 1 hectare or more in size, the parkland dedication will not exceed 15 per cent of the development site.
 - (ii) For sites less than 1 hectare in size, the parkland dedication will not exceed 10 per cent of the development site.
 - (iii) The density attributable to the first 5 per cent of the land dedication will be conveyed to the City along with the land.
 - (iv) Any density attributable to the land dedication in excess of 5 per cent of the site will remain on the development site.
 - (v) Any payment of cash-in-lieu of the land dedication will be limited to a maximum of 5 per cent of the value of the site.
- (c) Parkland dedication either in the form of land or cash-in-lieu of land or land and cash-in-lieu will be required for each development. The specific combination of land or cash will be determined as part of the consideration of a specific proposal.
- (d) Where as part of a development, on site parkland dedication is not feasible and the abutting Community is below the established park standard of 1 hectare per 1,000 population, an off-site parkland dedication which is located within 0.8 kilometres of the site may be considered.
- (e) When a development is located in a part of the North York Centre South or North York Centre North where the abutting Community is below the established level of 1 hectare per 1,000 population, the City will endeavour to acquire parkland within 0.8 kilometres of the site in an effort to achieve the established standard in that Community.
- (f) Land taken by the City should meet the following criteria:
 - (i) the land should be free of any encumbrances;
 - (ii) it should be developable land;
 - (iii) it should be visible and publicly accessible;
 - (iv) it should be of a usable shape, topography and size that reflects its intended use; and
 - (v) where possible, it should be consolidated with an existing or proposed park.”

**Attachment 3: Excerpt of By-law 1420-2007
Alternative Parkland Dedication By-law**

“415-22. Conveyance of Land for Parks Purposes; Alternative Rate.

- A. As a condition of development of land for residential purposes in a parkland acquisition priority area, the owner of the land shall convey or cause to be conveyed to the City the greater of:
- (1) Land equal to 5 percent (5%) of the land to be developed; or
 - (2) Land at a rate of 0.4 hectares for each 300 dwelling units proposed provided that:
 - (a) For sites less than 1 hectare in size, the parkland dedication will not exceed 10 percent of the development site, net of any conveyances for public road purposes.
 - (b) For sites 1 hectare to 5 hectares in size, the parkland dedication will not exceed 15 percent of the development site, net of any conveyances for public road purposes.
 - (c) For sites greater than 5 hectares in size, the parkland dedication will not exceed 20 percent of the development site, net of any conveyances for public road purposes.
- B. Where a Secondary Plan or a Site or Area Specific policy provides for a different Alternative Rate or an exemption, the alternative rate or the exemption set out in the Secondary Plan or the Site or Area Specific policy shall prevail.”

Attachment 4: By-law 1420-2007 Parkland Acquisition Priority Areas



Attachment 5: Draft Amendment to the North York Centre Secondary Plan

Authority: North York Community Council Item **XX.XX**
as adopted by City of Toronto Council on **XX, 2014**
Enacted by Council: **XX, 2014**

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~ -2014

To Adopt 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

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. 249 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 **~ day of ~, A.D. 2014.**

Mayor
(Corporate Seal)

City Clerk

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 however, will 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:

<i>Figure 3.3.1 Incentives</i>	
<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 and/or operated by the City or 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 however, will remain subject to meeting the policies of this Secondary Plan including built form and transportation.