

4841- 4881 Yonge Street, 2 and 50 Sheppard Avenue East and 2, 4 and 6 Forest Laneway– City-Initiated Zoning By-law Amendment- Final Report

Date: January 7, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 13 171700 NNY 23 OZ

SUMMARY

At their December 4, 5 and 13, 2018 meeting, City Council passed a motion directing the Chief Planner and Executive Director, City Planning to bring forward amendments to Zoning By-law No. 527-2015 and authorized amendments to the Section 37 Agreement. For more information, the Council motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM1.10>.

The amendments have no impact on the built form of the 39-storey residential apartment building with grade related retail and commercial uses approved at 4841-4881 Yonge Street, 2 and 50 Sheppard Avenue East and 2, 4 and 6 Forest Laneway by City Council on March 31, 2015. The amendments to the Zoning By-law and Section 37 Agreement are related to the Child Care Facility and Social Facility allowing a portion of funds from the monetary contribution secured in the Section 37 Agreement to be directed to the Child Care Facility.

This change will direct funds from the monetary contribution secured in the Section 37 Agreement to the furnishing and equipping of the Child Care Facility being constructed on site. Provisions for the construction, finishing, furnishing and equipping of the Child Care Facility are currently part of the Owner's Section 37 obligations in addition to the monetary contribution.

Children's Services staff have been consulted on the proposed amendments and have no concerns.

FINANCIAL IMPACT

There is no immediate financial impact to the City. The proposed zoning by-law amendment will allow for monetary funds of approximately \$180,000 to be redirected from other community benefits towards the furnishing and equipping of the Child Care

Facility. The construction, finishing, furnishing and equipping of the Child Care Facility will be completed and delivered by the Owner as part of the Section 37 Agreement.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend North York Zoning By-law 7625 for the lands at 4841-4881 Yonge Street, 2 and 50 Sheppard Avenue East and 2, 4 and 6 Forest Laneway substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Draft Zoning By-law Amendment

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Authority: City Council Item MM1.10 as adopted on December 4, 5 and 13, 2018 and North York Community Council Item ~as adopted by City of Toronto Council on ~

Enacted by Council: ~

Bill No. ~

CITY OF TORONTO

BY-LAW No. ~

To further amend the former City of North York By-law No. 7625 with respect to lands known municipally as 4841 to 4881 Yonge Street, 2 and 50 Sheppard Avenue East and 2, 4 and 6 Forest Laneway

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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;

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

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

Whereas subsection 37(3) of the Planning Act provides that where an owner of lands 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;

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 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 of the land and the City of Toronto.

Whereas Council adopted a motion on December 4, 5 and 13, 2018 directing the Chief Planner and Executive Director, City Planning to bring forward amendments to Zoning

By-law No. 527-2015 authorizing amendments to the Section 37 Agreement regarding the allocation of the monetary contribution;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedule "1" of By-law No. 527-2015 is amended by deleting paragraph "i" in its entirety and replacing it with the following new paragraph "i"

i. prior to issuance of the first above grade building permit for Apartment 'A' on Schedule B a monetary contribution towards the cost of acquiring lands necessary for completion of planned service roads, associated road network and buffer areas in the North York Centre, parkland acquisition and parkland improvements and/or community centre or social facility and/or furnishing and equipping the Child Care Facility shall be paid to the City. The amount of the monetary contribution shall be equal to the market value, based on land value, of the gross floor area specified in (aa) of this exception and based on the value of \$617.85 with indexing identified in the memo from the Director of Real Estate Services dated January 16, 2015 which may be reduced in the event that additional parkland is conveyed to the City prior to the Section 37 monetary contribution being made in accordance with OPA 249;

ENACTED AND PASSED this ~ day of ~ A.D. 2019