

**CITY OF TORONTO**

**BY-LAW No. 470-2002(OMB)**

**A by-law to adopt Amendment No. 7 to the Official Plan for the former Municipality of Metropolitan Toronto.**

WHEREAS the Ontario Municipal Board pursuant to its Order No. 0426, dated March 8, 2002, upon hearing the appeal of the Greater Toronto Airports Authority, under Subsection 22(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan for the former Municipality of Metropolitan Toronto;

THEREFORE the Official Plan for the former Municipality of Metropolitan Toronto is amended as follows:

1. Amendment No. 7 to the Official Plan of the former Municipality of Metropolitan Toronto, consisting of the attached text and map designated as Schedule "A", is hereby adopted.

**AMENDMENT NO. 7**

**TO THE OFFICIAL PLAN OF THE**

**FORMER MUNICIPALITY OF METROPOLITAN TORONTO**

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The following text and maps, constitute Amendment No. 7 to the Official Plan of the former Municipality of Metropolitan Toronto (being an amendment to the provisions of the former Municipality of Metropolitan Toronto Official Plan).

The sections headed “Purpose and Location” and “Basis” are explanatory only, and shall not constitute part of this amendment.

**PURPOSE AND LOCATION**

This amendment identifies an “Airport Operating Area” for Lester B. Pearson International Airport that closely follows the 30 NEF/NEP contours and associated policies for the operating area.

**BASIS**

This amendment provides for a specific reference to an “Airport Operating Area” (AOA) in the Official Plan to clearly indicate to residents, investors and others interested in land development that a special planning policy regime exists which may impose further limitations or tests on potential redevelopment situations beyond the restrictions that are currently in place within an area bounded by the 30 NEF/NEP composite noise contour for Lester B. Pearson International Airport. This amendment conforms to the Provincial Policy Statement on Airport Noise.

**OFFICIAL PLAN AMENDMENT**

- A. Amend SECTION 2.4 TRANSPORTATION by deleting the following Policy 2.4.5 Air, Rail and Marine Transportation Policies

It is the policy of Council:

- “95. to encourage initiatives by the federal and provincial governments to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport” and adding in its place:
- “95. to encourage initiatives by the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to encourage initiatives by the federal and provincial governments to undertake and develop public transit facilities from downtown Toronto to Lester B. Pearson International Airport”.

- B. Amend Section 3.5 ENSURING COMMUNITY HEALTH: ENVIRONMENTAL MANAGEMENT by deleting the following Policy 185:

“3.5.6 Policies Respecting Air Quality and Noise

It is the policy of Council:

185. to support the application of the federal NEF and NEP maps in the establishment of Area Municipal official plan policies and development control regulations respecting appropriate noise control and prevention of impacts from excessive noise and vibration from Lester B. Pearson International Airport where such policies and regulations are consistent with provincial policies and guidelines pertaining to aircraft noise” and adding in its place:

“185.1 to prohibit new development for residential and other sensitive land uses within the L.B.P.I.A. Operating Area not permitted by existing zoning, within the L.B.P.I.A. Operating Area as outlined on Map 8.

185.2 that notwithstanding Policy 185.1:

- (a) redevelopment for residential uses or infilling for residential uses may only be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in the same or fewer total number of dwelling units than the existing zoning would permit; or
- (b) redevelopment for residential uses or infill for residential uses may only be considered within the L.B.P.I.A. Operating Area, provided that there will be no negative impacts on the long-term function of the airport. In this regard, amongst other matters, the City shall require proponents of redevelopment or infilling to provide noise studies and undertakings to provide satisfactory noise attenuation measures when making applications for development approval.

185.3 that notwithstanding Policy 185.1, redevelopment for sensitive land uses, other than residential, or infilling for sensitive land uses, other residential, may only be permitted by site specific zoning within the L.B.P.I.A. Operating area if the proposed sensitive land use development is generally consistent with Transport Canada’s latest guidelines. In applying these guidelines, the 30 NEF/NEP noise contour shall be considered to be the L.B.P.I.A. Operating Area shown on Map 8.

- 185.4 that notwithstanding Policy 185.1, the City may pass comprehensive zoning by-laws that permit residential uses within the L.B.P.I.A. Operating Area, provided that new zoning by-law does not increase the number of dwelling units permitted. The City may pass comprehensive zoning by-laws to continue to permit non-residential noise sensitive land uses within the L.B.P.I.A Operating Area that are permitted in existing zoning by-laws.
- 185.5 that notwithstanding Policy 185.1:
- (a) new residential and other sensitive land uses may be permitted on the Woodbine Racetrack lands (shown as “\*” on Map 8) provided at the time of draft plan of subdivision and final approval and/or site rezoning no new residential and other sensitive land uses are located within the Transport Canada approved 30 NEF/NEP Composite Noise Contour and that the demarcation between the area where these uses are and are not permitted is shown on the plan of subdivision and/or the zoning by-law by clear features such as streets natural features, and/or zoning land use boundaries.
  - (b) The redevelopment for residential uses and other sensitive lands uses, or infilling for residential uses and other sensitive land uses, may be considered within the L.B.P.I.A. Operating Area, if has been demonstrated that there will be no negative impacts on the long-term function of the airport. In this regard, amongst other matters, the City shall require proponents of redevelopments or infilling to provide noise studies and undertakings to provide satisfactory noise attenuation measures when making applications for development approval.
  - (c) Nothing in this plan shall prevent the use of the Woodbine Racetrack lands for a horse racetrack including housing, dormitories and other noise sensitive land uses and the keeping of horses, required only for the operation of horse racing, and for any related, associated or accessory uses, facilities and services.
- 185.6 that notwithstanding Policy 185.1, new residential development and other sensitive land use development may be permitted on the Rexdale Mall lands within the L.B.P.I.A. Operating Area (shown as “\*\*\*” on Map 8) provided that at the time of Official Plan Amendment and/or rezoning no new residential and other sensitive land uses are located within the Transport Canada approved 30 NEF/NEP Composite Noise Contour and that the demarcation between the L.B.P.I.A Operating Area and the Noise Contour is shown on the schedule to the Official Plan Amendment and/or zoning by-law by clear features such as streets, natural features, and/or land use/zoning boundaries.

185.7 that the airport operating area delineated on Map 8, and policies 185.1 to 185.6 be reviewed whenever a new Transport Canada approved 30 NEF/NEP noise contour is prepared for the airport and/or in conjunction with the five year Plan review outlined in Policy 205 of this Plan”.

C. Amend GLOSSARY OF TERMS by adding the following definitions:

“infill

(for the purposes of Section 185 of this Plan) an application for approval under the *Planning Act* for:

- (a) the creation of one or more new lots;
- (b) the creation of one or more new residential units;
- (c) a change in land use; or
- (d) the construction of buildings and structures

and where the subject lands comprise less than 2 hectares and the lands have no buildings erected thereon and are located in an area having existing uses of the same or similar character as the use proposed.

redevelopment

(for the purposes of Section 185 of this Plan) an application for approval under the *Planning Act* for:

- (a) the creation of one or more new lots;
- (b) the creation of one or more new residential units;
- (c) a change in land use; or
- (d) the construction of buildings and structures

and where the subject lands have or previously had one or more building erected thereon.

sensitive land uses

buildings, amenity areas, or outdoor spaces where routine or normal activities would experience noise impacts from aircraft using the Lester B. Pearson International Airport. Examples of these uses include: residences, day care centres, and educational and health facilities”.

- D. Add Map 8 – L.B.P.I.A. Operating Area showing the new L.B.P.I.A. Operating Area boundary and identify the Woodbine Racetrack and the Rexdale Mall.

PURSUANT TO ORDER NO. 0426 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MARCH 8, 2002 IN BOARD FILE NO. PL000959.

