

Authority: Toronto and East York Community Council Item 36.19,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1172-2010

To adopt Amendment No. 389 to the Official Plan for the former City of Toronto with respect to lands west of the Don River, north of the Keating Channel and Lake Ontario.

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. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 389.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

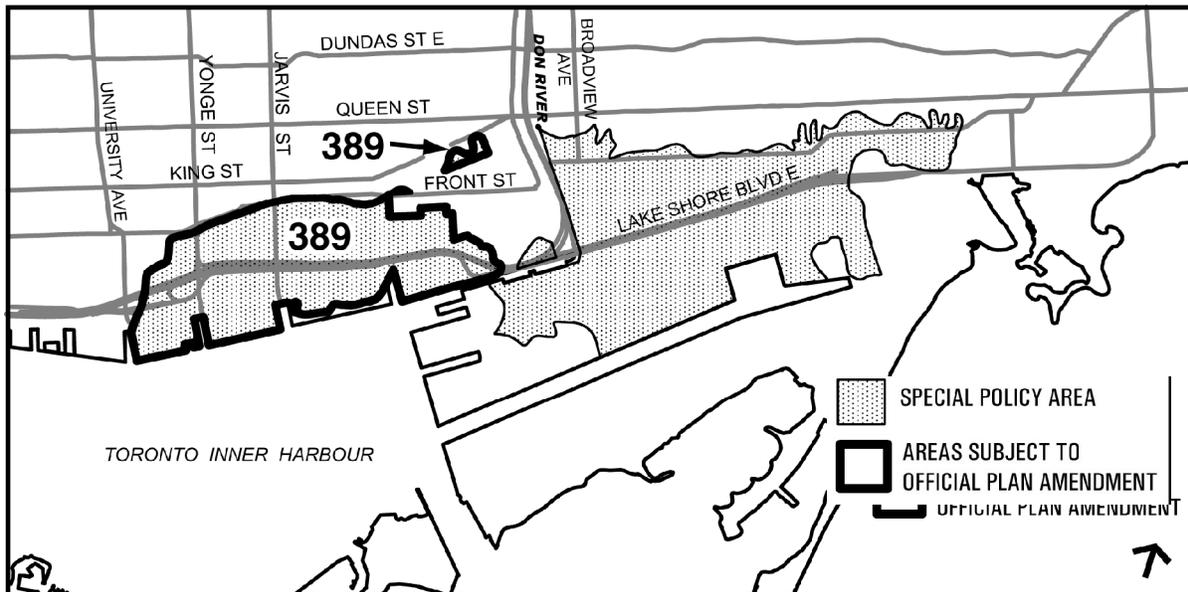
ULLI S. WATKISS
City Clerk

(Corporate Seal)

**AMENDMENT NO. 389 TO THE FORMER CITY OF TORONTO OFFICIAL PLAN
RESPECTING LANDS WEST OF THE DON RIVER, NORTH OF THE KEATING
CHANNEL AND LAKE ONTARIO**

The former City of Toronto Official Plan is amended as follows:

Appendix B, Lower Don *Special Policy Area* Maps 1, 2, 3 and 5 are amended by identifying a portion of the *Special Policy Area* identified on the map below as "Areas Subject to Official Plan Amendment" wherein policies 2.68(c), 2.72(d) and 2.73(h) apply. Appendix B, Lower Don *Special Policy Area* Maps 1, 2, 3 and 5 are further modified by including a new legend item "Spill Zone" to be applied to lands identified on the map below as "Areas Subject To Official Plan Amendment".



Policy 2.68 Development Policies in the Lower Don *Special Policy Area* of the former City of Toronto Official Plan is amended by adding the following:

- (c) For lands shown as "Spill Zone" on Maps 1, 2, 3, and 5 in Appendix B, where a change in land use and/or intensification from existing permissions is proposed, approval of such change by City Council shall only occur subject to enacting an amending by-law(s) pursuant to sections 34 and 36 of the *Planning Act* that include a holding symbol "h" wherein development will not be permitted until the "h" is removed pursuant to the implementation policy 2.73(h).

Policy 2.72 Land Use in the *Special Policy Area* of the former City of Toronto Official Plan is amended by adding the following:

- (d) for lands shown as "Spill Zone" on Maps 1, 2, 3 and 5 in Appendix B where City Council deems it appropriate to approve development proposals which will

result in a change in land use and/or intensification from existing permissions, City Council may enact amending zoning by-laws pursuant to Sections 34 and 36 of the *Planning Act* that will include a holding symbol "h" wherein development will not be permitted until the "h" is removed pursuant to the implementation of policy 2.73(h).

Policy 2.69 is amended by adding the following paragraph:

The Lower Don River West Remedial Flood Protection Project Class EA consists of a number of projects which together, when completed, are intended to eliminate risk of flooding to the areas shown as "Spill Zone" on Maps 1, 2, 3 and 5 in Appendix B. The works related to this EA commenced post approval in 2006.

Policy 2.73(b) is deleted and replaced with the following:

Modifications to the boundaries of the *Special Policy Area* designation as shown in Appendix B may be considered, based on improvements made to the flood or erosion control remedial measures, or other relevant changes as approved by City Council in co-operation with the Metropolitan Toronto and Region Conservation Authority and in consultation with the Province. Such boundary modifications require Provincial approval before they are approved by City Council.

Policy 2.73 Implementation of the *Special Policy Area* Criteria of the former City of Toronto Official Plan is amended by adding the following:

- (g) Official Plan or zoning by-law amendments that result in a change to land use and/or intensification from existing permissions for lands within the *Special Policy Area* are to be municipally initiated and require Ministerial approval in accordance with Provincial procedures, prior to Council approval of such amendments;
- (h) Notwithstanding (g), for lands shown as "Spill Zone" on Maps 1, 2, 3 and 5 in Appendix B, City Council may approve a land use change and/or intensification from existing permissions that is consistent with the City's vision for this area; however such an approval shall only occur subject to enacting a zoning by-law pursuant to Sections 34 and 36 of the *Planning Act* that will include a holding symbol "h" wherein development will not be permitted until the "h" is removed.

The holding symbol "h" shall not be removed until the West Don Lands Flood Protection Project Class EA is deemed complete and functional from a floodplain management perspective by the Metropolitan Toronto and Region Conservation Authority and the City of Toronto has received approval from the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources that the lands shown as "Spill Zone" on Maps 1, 2, 3 and 5 in Appendix B, can be removed from the Lower Don *Special Policy Area*.