

Authority: Etobicoke Community Council Report No. 5, Clause No. 22b, adopted as amended, by City of Toronto Council on June 24, 25 and 26, 2003; and Notice of Motion J(20), moved by Councillor Milczyn, seconded by Councillor Lindsay Luby, as adopted by City of Toronto Council on July 22, 23 and 24, 2003
Enacted by Council: July 24, 2003

CITY OF TORONTO

BY-LAW No. 731-2003

To adopt Amend No. 112-2003 of the Etobicoke Official Plan with respect to the lands known as 35 Fieldway Road.

WHEREAS authority is given to Council by 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*;

THEREFORE, the Council of the City of Toronto HEREBY ENACTS as follows:

1. That the attached Amendment No. 112-2003 to the Official Plan of the Etobicoke Planning Area, consisting of the attached text and maps, is hereby adopted pursuant to the *Planning Act*.

ENACTED AND PASSED this 24th day of July, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

OFFICIAL PLAN AMENDMENT NO. 112-2003**CITY OF ETOBICOKE OFFICIAL PLAN****2.1 INTRODUCTION**

The following text and attached maps entitled Schedule “A” and Schedule “B” constitute Amendment No. 112-2003 to the Official Plan for the Etobicoke Planning area. The Official Plan is hereby amended as follows:

2.2 MAP CHANGES

Map 4 of the Etobicoke Official Plan is amended as shown on Schedule “A” attached hereto to reflect the redesignation of the site from Industrial to Medium Density Residential. Schedule “A” attached hereto shall form part of the amendment.

Map 5 - “Site Specific Policies” as shown on Schedule “B” of Official Plan Amendment No. 112-2003 is hereby amended by adding Site Specific Policy No. 87.

2.3 TEXT CHANGES

The Official Plan is amended by adding a new Special Site Policy identified in Section 5.1.2 - Site Specific Policies as follows:

“8.7 Lands located on the south side of Fieldway Road, west of Allerton Road.

1. Section 37 Agreement

In addition to developing the site in accordance with the Medium Density Residential designation in the Plan the following requirements are to be incorporated into the Section 37 Agreement in consultation with appropriate City staff:

- a. The owner will be required to provide a 980.5 square metre dedicated public park, of which 831.5 square metres satisfies the requirements of Section 42 of the *Planning Act*, prior to a building permit being issued;
- b. The owner will be required to provide public pedestrian and vehicular easements for access to the new public park;
- c. The owner will be required to provide improvements to the dedicated public park to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- d. The owner will ensure that all lands to be conveyed for parkland purposes must

meet Ministry of the Environment standards for that use;

- e. The owner will be required to carry out the recommendations for the clean up or removal of all contaminated soil, as set out in the report prepared by Terrapex Environmental Limited, prior to the building permit being issued;
- f. The owner agrees to carry out all noise attenuation measures, as set out in the report prepared by S. S. Wilson Associates, dated January 27, 2003, and post warning notices in all Purchase and Sale Agreements; and
- g. The owner will be required to make a cash contribution of \$25,000.00 to fund local traffic calming measures and the balance of the funds, if any, are to be used for the purpose of local park improvements.

2. Execution and Registration of Section 37 Agreement

The Owner of the site shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, to secure the matters referred to in Subsection 1. herein and such agreement shall be in a form satisfactory to the City and registered on title to the site as a first priority, subject only to the fee interest in the site”.

2.4 IMPLEMENTATION

The policy established by this Amendment will be implemented through a site-specific amendment to the Zoning Code, Council’s conditions to approval, and the signing of appropriate agreements.

2.5 INTERPRETATION

The provisions of the Official Plan as they may be amended from time to time with respect to the interpretation of the Plan shall apply with respect to this Amendment.

Etobicoke Official Plan Amendment No. 112-2003

Schedule "A"

35 Fieldway Road

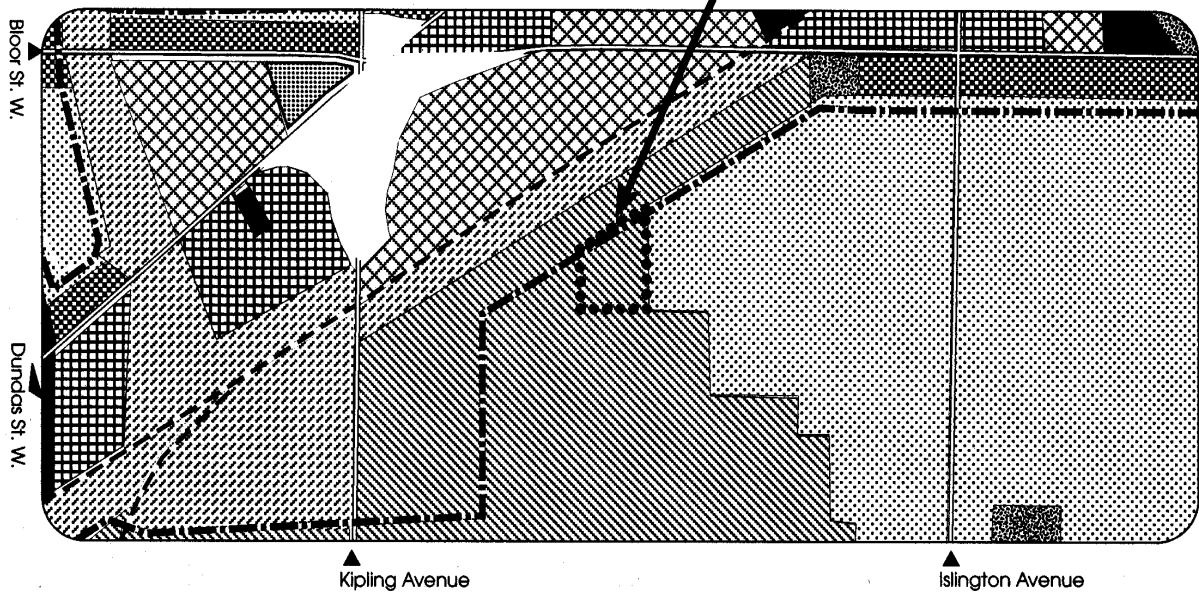
File # TA CMB 2002 0020



Area of Amendment

Map 4

Is amended by redesignating
Industrial to Medium Density
Residential.

**Land Use**

Low Density Residential



Industrial



Utility



Secondary Plan Area



High Density Residential



Mixed Use



Open Space



Office



Commercial - Residential Strip



Not to Scale

Extracted 05/13/03 - MH

Etobicoke Official Plan Amendment No. 112 - 2003

Schedule "B"

35 Fieldway Road

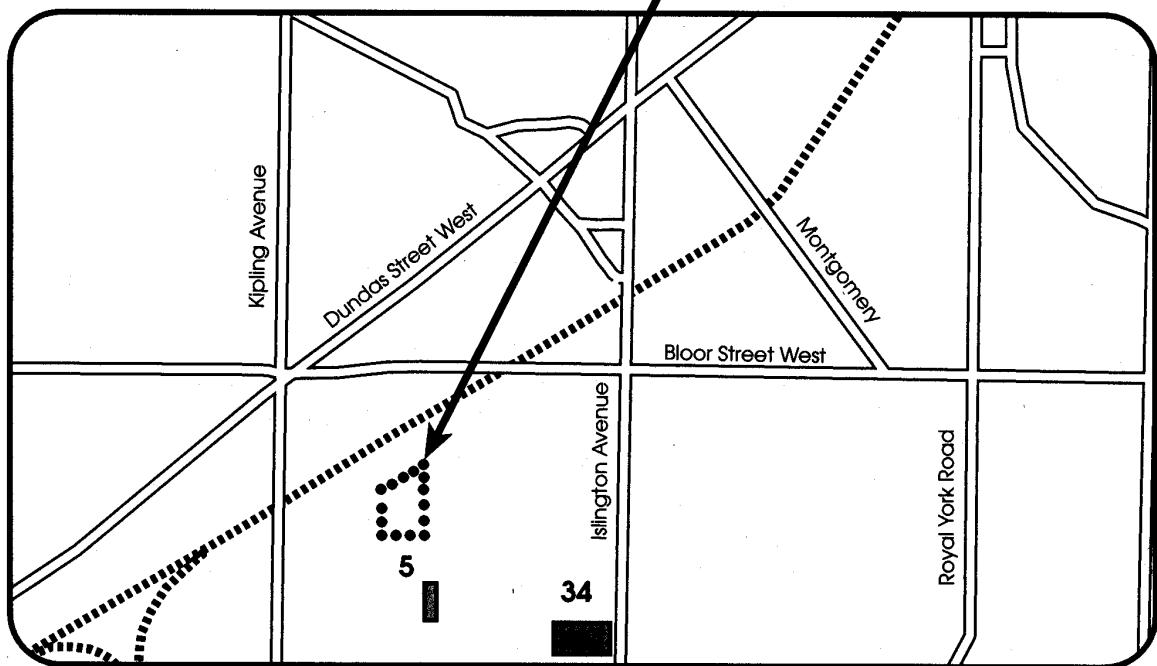
File # TA CMB 2002 0020



Area of Amendment

Map 5

is amended by redesignating Industrial to Medium Density Residential subject to Site Specific Policy No. 87



Site Specific Policies



Area Affected By
Site Specific Policy

34

Site Reference Number
(see Section 5.1.2)



Not to Scale
Extracted 05/13/03 - MH