

CITY OF TORONTO

BY-LAW No. 737-2005(OMB)

To adopt Amendment No. 115-2003 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting lands located on the south side of Bloor Street West, west side of Islington Avenue, municipally known as 3391 Bloor Street West.

WHEREAS the Ontario Municipal Board has determined to amend the former City of Etobicoke Official Plan;

THEREFORE The Ontario Municipal Board HEREBY ENACTS as follows:

THAT the attached Amendment No. 115-2003 to the Official Plan of the Etobicoke Planning Area, consisting of Part Two of the accompanying amendment, is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

PURSUANT TO DECISION/ORDER NO. 2266 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON AUGUST 26, 2005 IN BOARD FILE NO. PL021189.

PART ONE - PREAMBLE

1.1 PURPOSE/LOCATION

Official Plan Amendment No. 115-2003 applies to a 0.206 hectare (0.51 acres) parcel of land located on the south side of Bloor Street West, west of Islington Avenue, municipally known as 3391 Bloor Street West.

The purpose of this amendment is to add Site Specific Development Policy 13.3.19 in order to permit the construction of a mixed-use development containing commercial/retail uses at grade and residential dwelling units on subsequent floors.

1.2 BASIS

In August 2002 the owner and applicant submitted an application to modify the Etobicoke City Centre Secondary Plan Policies of the former City of Etobicoke Official Plan in order to permit the redesignation of the Commercial-Residential Strip designation to Mixed-Use. This will allow the lands to be developed with a mixed-use development containing commercial/retail uses at grade and residential dwelling units.

PART TWO-THE AMENDMENT

2.1 INTRODUCTION

All of this part of the Amendment, consisting of the following text and attached map designated as Schedule "A", constitute Amendment No. 115-2003 to the Official Plan for the Etobicoke Planning Area. The Official Plan is hereby amended as follows.

2.2 MAP CHANGE (SCHEDULE “A”)

Schedule 3 of the City Centre Secondary Plan is amended in accordance with Schedule “A” attached hereto to reflect the redesignation of the subject site from Commercial-Residential Strip to Mixed-Use, and the Official Plan is amended by adding Site Specific Development Policy 13.3.19. Schedule “A” attached hereto shall form part of the amendment.

2.3 TEXT CHANGES

The Official Plan is amended by adding Site Specific Development Policy 13.3.19, as follows:

“13.3.19 Lands located at the south-west corner of Bloor Street West and Islington Avenue.

Designation Mixed-Use.

Density Maximum gross floor area of 11 885 square metres.

Description

The Site including any portion of the public lane located immediately to its south and incorporated into the development, may be developed having a mixed-use development, as detailed in Section 1 listed below, provided that the Owner complies with the provisions of Sections 2 and 3 listed below:

1. The maximum gross floor area of 11 885 square metres shall apply whether or not the public lane or any part thereof, lying immediately to the south of the site is incorporated into the development site.

2. Section 37 Agreement**Public Benefit**

The applicant will be required to provide the City with a cash contribution in the amount of \$ 115,000.00 to be used for public art/ streetscape improvements in the vicinity of the Bloor Street West and Islington Avenue area.

The owner of the site shall also provide the City of Toronto with the following additional facilities, services and matters, which would otherwise have been required in the absence of using Section 37 and are secured in the Section 37 agreement because it serves as a convenient legal mechanism.

Park Dedication

The applicant will be required to provide cash-in-lieu of parkland equivalent of up to 0.5 hectares per 300 units to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

School Board Notice

The applicant agrees to provide the Toronto District School Board and the Toronto Catholic District School Board with appropriate notice of its intention to apply for building permits.

The applicant also agrees to install on-site signage and insert appropriate warning clauses in offers of purchase and sale, advising purchasers that students may be accommodated outside the area.

Transportation Improvements

The applicant agrees to contribute and/or construct any transportation/road improvements that are attributable to the development of the subject site.

Sidewalk and Streetscape Improvements

The applicant agrees to design and construct, to the satisfaction of the Commissioner of Urban Development Services and Works and Emergency Services, sidewalk and streetscape improvements along the public frontages of the subject site to current City standards.

Environmental Assessment

The applicant is required to satisfy the City with respect to the environmental (soil and groundwater) condition of the site that it is suitable for the proposed development and for any lands that are to be dedicated to the City.

Mitigation Requirements

The applicant will incorporate appropriate mitigation measures to address the comments of the Toronto Transit Commission and the findings of a Noise Impact Analysis. The applicant shall include warning clauses in all Purchase and Sale and/or Lease Agreements, respecting concerns (if any) expressed by the Toronto Transit Commission and the recommendations of a Noise Impact Analysis.

3. 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 facilities, services and matters provided for under subsection (2) 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 by a site specific amendment to the Zoning Code, the Ontario Municipal Board's conditions to approval, and the signing and registering of the 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.115-2003 Schedule "A"

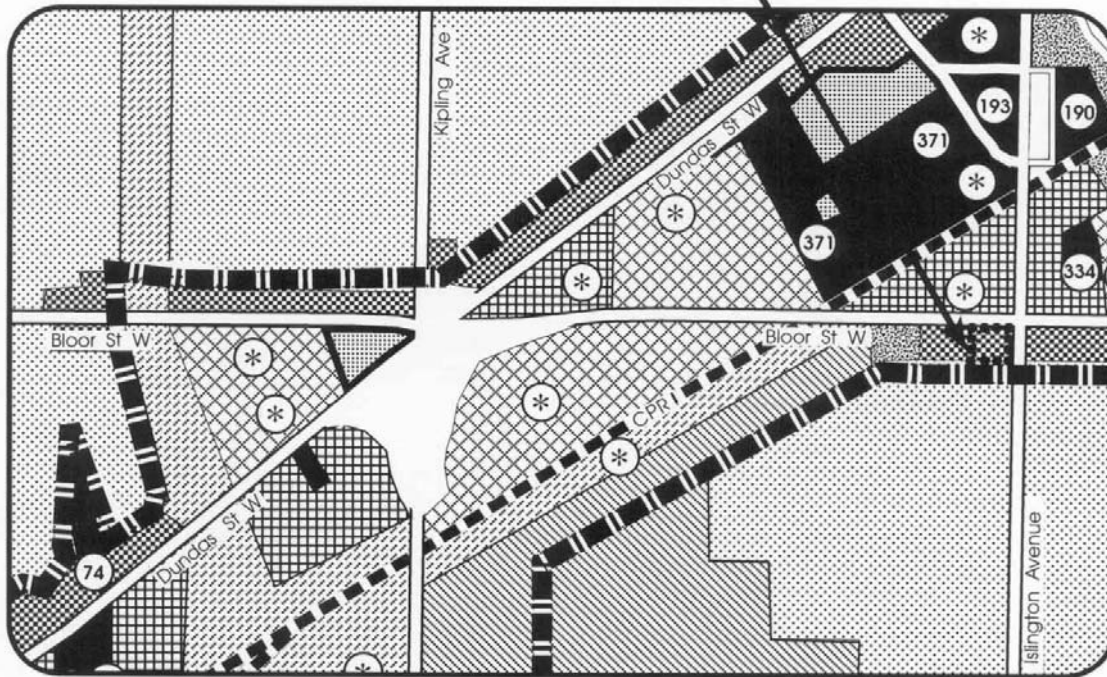
3391 Bloor Street West

File # TA-CMB 2002 0013

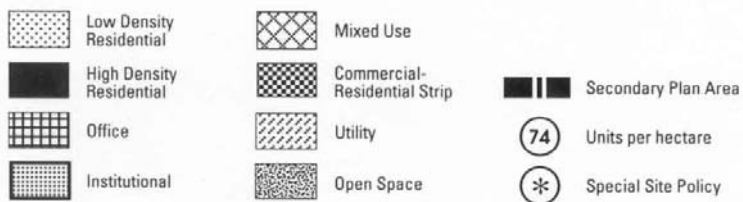


Schedule 3

of the City Centre Secondary Plan
is amended by redesignating the
subject site from Commercial-
Residential Strip to Mixed Use
pursuant to Section 13.3.19



Land Use



Not to Scale
Extracted 10/10/03 - MH