

Authority: Planning and Housing Committee
Item PH30.1, as adopted by City of Toronto Council
on February 2 and 3, 2022 and Section 169-5.2B of
City of Toronto Municipal Code Chapter 169,
Officials, City

CITY OF TORONTO

BY-LAW 46-2022

To amend City of Toronto Municipal Code Chapter 415, Development of Land, to require applicants to consult with the City before submitting an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision or Site Plan Control under the respective sections of the Planning Act or the City of Toronto Act, 2006.

Whereas authority is given to Council under section 22(3.1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, to enact a municipal by-law to require applicants to consult with the City before submitting an application for Official Plan Amendment under the Planning Act; and

Whereas authority is given to Council under section 34(10.0.1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, to enact a municipal by-law to require applicants to consult with the City before submitting an application for Zoning By-law Amendment under the Planning Act; and

Whereas authority is given to Council under section 51(16.1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, to enact a municipal by-law to require applicants to consult with the City before submitting an application for Approval of a Plan of Subdivision under the Planning Act; and

Whereas authority is given to Council under section 114(4) of the City of Toronto Act, 2006, S.O. 2006, c. 11, Sched. A., to enact a municipal by-law to require applicants to consult with the City before submitting an application for Site Plan Control under the City of Toronto Act, 2006; and

Whereas this by-law is known as the City of Toronto's pre-application consultation by-law; and

Whereas Chapter 169, Officials, City of the Toronto Municipal Code authorizes the City Solicitor to submit bills directly to Council to make technical amendments to the Municipal Code to update the by-laws to refer to the current statute, City official title, administrative unit and Municipal Code provisions;

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 415, Development of Land, Section 415-18 is amended by deleting the words "Ontario Municipal Board" and replacing them with the words "Ontario Land Tribunal" in every instance.
2. City of Toronto Municipal Code Chapter 415, Development of Land, Section 415-18.1 is amended by deleting the words "Ontario Municipal Board" and replacing them with the words "Ontario Land Tribunal" in every instance.

3. City of Toronto Municipal Code Chapter 415, Development of Land is amended by adding a new Section 415-19.2, following Section 415-19.1, as follows:

415-19.2. Mandatory Pre-Application Consultation

- A. The authority to determine whether the requirements of Section 415-19.2 are met to permit an application, identified in Subsections B.(1) to (4) below, be made to the City under the Planning Act or the City of Toronto Act, 2006 is delegated to the Chief Planner and Executive Director, City Planning or their designate.
- B. As a prerequisite to the submission of an application under the Planning Act or the City of Toronto Act, 2006, any applicant shall be required to consult with City Staff, and any external public commenting agencies as may be deemed relevant and required by the Chief Planner and Executive Director, City Planning or their designate, for any of the following applications:
- (1) Official Plan Amendment under section 22 of the Planning Act;
 - (2) Zoning By-law Amendment under section 34 of the Planning Act;
 - (3) Approval of a plan of subdivision under section 51 of the Planning Act; or
 - (4) Site Plan Control application under section 114 of the City of Toronto Act, 2006.
- C. For greater certainty, an application identified in Subsections B(1) to (4) above shall not be permitted to be made to the City under the Planning Act or the City of Toronto Act, 2006 until the requirements of Section 415-19.2 have been satisfied.
- D. The required consultation in Subsection B above is subject to the following:
- (1) an applicant shall make a request for a pre-application consultation meeting in writing to, and in the form prescribed by, the Chief Planner and Executive Director, City Planning or their designate;
 - (2) the request made under Subsection D.(1) above shall be accompanied with any information and materials required by the Chief Planner and Executive Director, City Planning or their designate;
 - (3) an applicant shall attend one pre-application consultation meeting with the relevant City staff, and, as deemed necessary, such external commenting agencies, at a time, in a location and in a format determined by the Chief Planner and Executive Director, City Planning or their designate;
 - (4) nothing in Section 415-19.2 prohibits the Chief Planner and Executive Director, City Planning or their designate from requesting or encouraging

additional voluntary meetings subsequent to the required pre-application consultation meeting under Subsection D(3) above;

- (5) notwithstanding Subsection D(3) above, where more than one application described in Subsection B above is intended to be made concurrently to the City for the same lands, one pre-application consultation meeting may be sufficient to satisfy the requirement for such identified concurrent applications for the same lands at the discretion of the Chief Planner and Executive Director, City Planning or their designate;
 - (6) where concurrent applications of the types identified in Subsection B above are not made to the City and the intention described in Subsection D(5) above is not followed, the requirements of this Section are deemed not to be met for the subsequent separate, and not concurrent, application and such requirements of Section 415-19.2 are only met for the first application made to the City; and
 - (7) the prescribed fee, if any, pursuant to Chapter 441, Fees and Charges, is paid to the City.
4. City of Toronto Municipal Code Chapter 415, Development of Land, Section 415-20 is amended by deleting the words "Executive Director of Engineering and Construction Services and his or her designates" and replacing them with the words "Chief Engineer and Executive Director, Engineering and Construction Services and their designates".
 5. City of Toronto Municipal Code Chapter 415, Development of Land is amended as follows:
 - A. Section 415-18.1B is amended by deleting the words "section 41 of the Planning Act or";
 - B. Section 415-19A is amended by deleting the words "section 41 of the Planning Act or";
 - C. Section 415-19C is amended by deleting the words "section 41 of the Planning Act or"; and
 - D. Section 415-19D is deleted and replaced with the following:

"Despite Subsection A, Council shall retain all powers and authority under section 114 of the City of Toronto Act, 2006, and at any time prior to approval of a site plan application, the Ward Councillor may, in writing, request the Chief Planner to submit the site plan application to the appropriate Community Council and to Council for its approval."
 6. This By-law, except for Section 3, shall come into force on the date it is enacted and passed.

7. Section 3 of this By-law pertaining to the new Section 415-19.2 shall come into force on November 1, 2022.

Enacted and passed on February 3, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)