

**Repeal of Former City of Scarborough By-law 24662
930 Port Union Road**

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| Date: | April 17, 2009 |
| To: | City Council |
| From: | City Solicitor |
| Wards: | Ward No. 44 – Scarborough East |
| Reference Number: | File Nos. 05 212373 ESC 44 OZ & 05 212378 ESC SB |

SUMMARY

The property at 930 Port Union Road (the “Property”) is part of the development site known municipally as 922 – 930 Port Union Road (the “Development Lands”) that is subject to current Zoning Amendment and Plan of Subdivision applications. On February 6, 1996, the former City of Scarborough registered Scarborough By-law 24662 on title to the Property, authorizing the Commissioner of Planning and Buildings to clear the Property of a dilapidated building and to clean and grade the lot. The By-law also authorized the expense incurred by the City of Scarborough to be added to the collector’s tax roll. The building was subsequently cleared, the lot was graded, and the City recuperated the costs. This report seeks authority from Council to repeal Scarborough By-law 24662.

There is urgency to this matter as the Plan of Subdivision for the Development Lands will be registered shortly and the repealing by-law should be registered prior to the creation of the new lots and their pending sales to members of the public.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council enact a By-law to repeal Scarborough By-law 24662.
2. City Council authorize the City Solicitor to register the repealing By-law on title to the lands at 930 Port Union Road.

FINANCIAL IMPACT

The Recommendations have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting on April 23 and 24, 2007, City Council approved a Zoning Amendment and a Draft Plan of Subdivision for the Development Lands. A report from the Director, Community Planning, Scarborough District, dated March 12, 2007 can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2007/sc/bgrd/backgroundfile-2176.pdf>

ISSUE BACKGROUND

The Plan of Subdivision for the Development Lands will be registered by the City as soon as possible. The Solicitor for the developer has requested that the City repeal Scarborough By-law 24662 prior to the registration of the Plan.

COMMENTS

The obligations contained in Scarborough By-law 24662 have long been satisfied. The enactment and registration of a repealing by-law will provide assurance to future purchasers of the new lots that have By-law 24662 registered against their title that no obligations stemming from the By-law remain.

CONTACT

Mark Crawford, Solicitor
Tel. No. (416) 392-8864
Fax No. (416) 397-5624
E-mail: mcrawfo1@toronto.ca

SIGNATURE

Anna Kinastowski, City Solicitor