

Authority: Motion 109, moved by Councillor Ashton, seconded by Councillor Bussin,
as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2007
Enacted by Council: July 17, 2007

CITY OF TORONTO

BY-LAW No. 771-2007

**To effect interim control for the lands shown on Schedule '1' to this By-law being lands
northwest of Gerrard Street East and Clonmore Drive located in the former
City of Scarborough.**

WHEREAS the subject lands have been zoned since September, 1968 to permit approximately 1,450 apartment units in four high-rise buildings which, after almost 40 years, remain unbuilt; and

WHEREAS the Council of the City of Toronto in November, 2002 adopted a new Official Plan for the City of Toronto; and

WHEREAS the Council of the City of Toronto in September, 2003 directed the Commissioner of Urban Development Services to carry out a study of land use planning policies in respect to the area lying east of Victoria Park Avenue, south of the CN rail tracks and fronting on Gerrard Street East and Clonmore Drive, which encompasses the subject lands; and

WHEREAS the 'Birchcliff Quarry Lands Study' is currently assessing appropriate future land uses within the larger Quarry Lands area designated Mixed Use Areas in the new Official Plan; and

WHEREAS the owner of the subject lands has appealed to the Ontario Municipal Board with respect to the Mixed Use Areas designation of its lands under the new Official Plan; and

WHEREAS the owner of the subject lands in April, 2006 filed rezoning application no. 06 128393 ESC 36 OZ to permit reductions in the required minimum floor areas for the apartment units; and

WHEREAS City Council has directed that this rezoning application be reviewed concurrently with the Birchcliff Quarry Lands Study; and

WHEREAS the owner of the subject lands on April 25, 2007 has also appealed its rezoning application to the Ontario Municipal Board pursuant to Section 34(11) of the *Planning Act* given the lack of a decision on it by the City; and

WHEREAS it is desirable that the mix, locations, built forms, heights and densities for a variety of potential land uses on the Quarry Lands overall should continue to be examined within the context of the Birchcliff Quarry Lands Study; and

WHEREAS the Birchcliff Quarry Lands Study is expected to be completed by mid-2008; and

WHEREAS authority is given to Council by subsection 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law for such purposes as are set out in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The following uses are prohibited on any of the lands shown within the heavy lines on Schedule '1' attached to this by-law:
 - (i) **Apartment Buildings**
 - (ii) **Multiple-Family Dwellings**
 - (iii) Nursing Homes
 - (iv) Senior Citizens Homes
2. This By-law expires one year from the date of its enactment by Council.

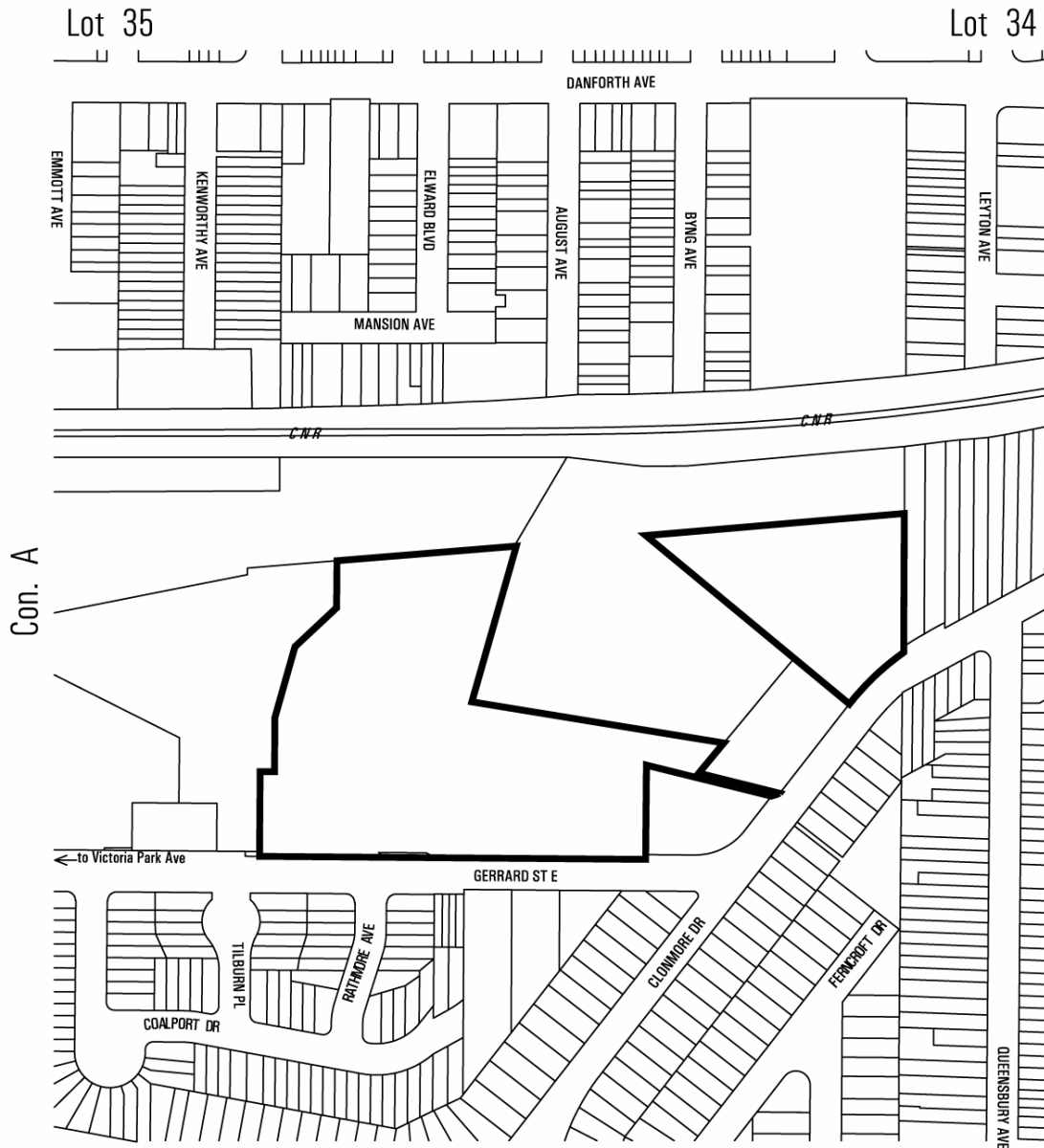
ENACTED AND PASSED this 17th day of July, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1'



Interim Control By-Law

Northwest of Gerrard St. East & Clonmore Dr.

File # 06-128393 0Z



Area Affected By This By-Law

Birchcliff Community Bylaw
Not to Scale
06/26/07

