

Authority: Planning and Growth Management Committee Item 25.6, adopted as amended,
by City of Toronto Council on May 25, 26 and 27, 2009

Enacted by Council: May 27, 2009

CITY OF TORONTO

BY-LAW No. 580-2009

To amend City of Toronto Municipal Code Chapter 415, Development of Land, to delegate certain powers and authority to the Chief Planning Official.

WHEREAS section 20 (1) of the *City of Toronto Act, 2006*, authorizes the City to delegate its powers and duties under that or any other Act to a person or body;

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

1. The City of Toronto Municipal Code is amended by removing § 415-18 from Chapter 415 in its entirety and replacing it with the following section:

“§ 415-18. Authority to execute, amend or release agreements.

- A. The authority to execute, amend or release the following agreements as required under the *Planning Act* is delegated to the Chief Planner and his or her representatives:

- (1) agreements securing conditions imposed by either the Committee of Adjustment or the Ontario Municipal Board in respect of a consent to sever;
- (2) agreements securing conditions imposed by either the Committee of Adjustment or the Ontario Municipal Board in respect of a variance;
- (3) agreements securing conditions of site plan approval imposed by the Ontario Municipal Board;
- (4) agreements to secure conditions of approval of a plan of subdivision imposed by the Ontario Municipal Board;
- (5) agreements under section 37 of the *Planning Act* that secure the provision of public benefits imposed by the Ontario Municipal Board; and
- (6) subject to § 415-17 agreements to secure conditions of approval of condominium imposed by the Ontario Municipal Board.

- B. The Chief Planner’s and his or her representatives’ authority to execute, amend or release the above noted agreements does not apply in respect of any condition imposed by the Committee of Adjustment or the Ontario Municipal Board that would require the City expenditure of unbudgeted funds.”

2. The City of Toronto Municipal Code is amended by adding the following section:

“§ 415-18.1. Authority to instruct the City Solicitor.

- A. The authority to instruct the City Solicitor on what position to take at an Ontario Municipal Board hearing in respect of the following matters is delegated to the Chief Planner and his or her representatives:
- (1) approval of a site plan;
 - (2) conditions to the approval of a site plan;
 - (3) approval of a plan of subdivision or plan of condominium; and
 - (4) conditions to the approval of a plan of subdivision or plan of condominium.
- B. Despite Subsections A (1) and (2), Council shall instruct the City Solicitor on what position to take at an Ontario Municipal Board hearing if at any time prior to approval of a site plan application, the Ward Councillor, in writing, requests the Chief Planner to submit an application under section 41 of the *Planning Act* or section 114 of the *City of Toronto Act, 2006*, to the appropriate Community Council and to Council for its approval.”
3. Section 415-19A of Chapter 415 of The City of Toronto Municipal Code is amended by adding “or section 114 of the *City of Toronto Act, 2006*,” after the words “*Planning Act*”.
4. Section 415-19C of Chapter 415 of The City of Toronto Municipal Code is amended by adding “or section 114 of the *City of Toronto Act, 2006*,” after the words “*Planning Act*”.
5. Section 415-19D of Chapter 415 of The City of Toronto Municipal Code is amended by adding “or section 114 of the *City of Toronto Act, 2006*,” after the words “*Planning Act*”.

ENACTED AND PASSED this 27th day of May, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)