

Authority: Planning and Housing Committee Item PH5.1,
adopted as amended, by City of Toronto Council on July 19
and 20, 2023
City Council voted in favour of this by-law on July 20,
2023
Written approval of this by-law was given by Mayoral
Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 701-2023

To amend City of Toronto Municipal Code Chapter 415, Development of Land, and Chapter 169, Officials, City, respecting the delegation of certain minor zoning by-laws.

Whereas authority is given to Council under section 39.2(1) of the Planning Act and sections 20, 21 and 22 of the City of Toronto Act, 2006 to delegate authority to pass by-laws under section 34 of the Planning Act that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality; and

Whereas subsection 39.2(2) of the Planning Act permits Council to delegate authority to pass by-laws under section 34 of the Planning Act that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality where there is an official plan in effect that specifies the types of by-laws in which delegation of authority may be made; and

Whereas concurrently with the enactment of this By-law, Council has adopted Amendment 660 to the City of Toronto's Official Plan to establish policies specifying the types of by-laws in respect of which delegation of authority may be made; and

Whereas subsection 39.2(4) of the Planning Act and sections 20, 21 and 22 of the City of Toronto Act, 2006, authorize Council to impose any conditions and procedures, as deemed appropriate, on the delegation of certain powers and duties; and

Whereas Council through this By-law, delegates authority to pass minor zoning by-laws to remove a holding provision in a zoning by-law to the Chief Planner and Executive Director, and their designate, subject to conditions;

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 415, Development of Land, is amended by adding a new Section 415-18.2 as follows:

"§ 415-18.2. Delegation of Minor Zoning By-laws.

- A. The Chief Planner and their designate is delegated the authority to pass a Minor Zoning By-law under Section 39.2 of the Planning Act.
- B. A "Minor Zoning By-law" means:

- (1) a by-law to remove a holding provision from a zoning by-law, including any associated zoning provisions where applicable, where the conditions for the removal of the holding provision have been satisfied.
- C. Despite Section 415-18.2A above, the Chief Planner and their designate are not delegated the power to remove a holding provision from a zoning by-law where a condition to be satisfied relates to, or has an impact on any expenditures of City funds not previously authorized by Council.
- D. Any existing by-law containing a holding provision that references the satisfaction of Council shall be deemed to be interpreted as to the satisfaction of the Chief Planner and their designate, subject to Section 415-18.2C above.
- E. The City Clerk shall determine in each circumstance whether notice will be provided by email or such alternative method as deemed appropriate;
- F. Despite Section 415-18.2A, nothing shall prevent the Chief Planner and their designate from making recommendations to Council regarding any by-law delegated in Section 415-18.2B above through the appropriate Committee of Council."
2. Section 169-2.4 of City of Toronto Municipal Code Chapter 169, Officials, City, is amended by adding a new subsection C as follows:
- "C. The City Clerk may process by-laws if the Chief Planner and Executive Director, City Planning and their designate exercises delegated authority under Section 415-18.2 of Chapter 415, Development of Land."
3. Section 169-5.2 of City of Toronto Municipal Code Chapter 169, Officials, City, is amended by adding a new subsection E as follows:
- "E. If the Chief Planner and Executive Director, City Planning and their designate exercises delegated authority under Section 415-18.2 of Chapter 415, Development of Land, the City Solicitor will submit the by-law to the City Clerk for processing under Section 169-2.4C."
4. Section 1, Section 2 and Section 3 come into force and effect on the day Amendment 660 to the Official Plan of the City of Toronto is in force and effect.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)