

Authority: Toronto and East York Community Council  
Item TE13.3 as adopted by City of Toronto Council on  
May 22 and 23, 2024  
City Council voted in favour of this by-law on June 27,  
2024  
Written approval of this by-law was given by Mayoral  
Decision 15-2024 dated June 27, 2024

## **CITY OF TORONTO**

### **BY-LAW 614-2024**

**To amend former City of Toronto Zoning By-law 438-86, and By-law 226-2007, as amended, with respect to the lands municipally known as 13-21 Balmuto Street.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to subsection 37.1(3) of the Planning Act, R.S.O. c. P.13 subsections 37(1) to (4) of the Planning Act, as they read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and

Whereas on August 15, 2022, City Council passed By-law 1139-2022 being the City's Community Benefits Charge By-law pursuant to Subsection 37(2) of the Planning Act; and

Whereas Council at its meeting of March 5, 6, 7 and 8, 2007 enacted By-law 226-2007 being a by-law described in the repealed subsection 37(1) of the Planning Act and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1) to (4) of the Planning Act, as they read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force continue to apply; and

Whereas this By-law can set out additional eligible facilities, services of matters for which the previous increases in height and density as set out in the Zoning By-law 226-2007 were secured to fund;

The Council of the City of Toronto enacts:

1. Section 2. (b)(i) is amended to add the words, prior to the semi-colon, "or improvements to any Toronto Transit Commission Subway Station within the local ward".
2. Section 2. (b)(ii) is amended to add the words, prior to the semi-colon, "or for costs toward climate smart affordable housing within the local ward".

3. A new Section 2. (e) is added to read "In the event the cash contributions referred to in Section 2 have not been used for the intended purpose within 3 years of the enactment of By-law 226-2007, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands."

Enacted and passed on June 27, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)