

Authority: Planning & Housing Committee Item PH15.1,
as adopted by City of Toronto Council on October 9 and
10, 2024

City Council voted in favour of this by-law on October 10,
2024

Written approval of this by-law was given by Mayoral
Decision 19-2024 dated October 10, 2024

CITY OF TORONTO

BY-LAW 1038-2024

To adopt Amendment 528 to the Official Plan for the City of Toronto respecting policies in Chapter 2 and 4 outlining the sale or disposal of publicly owned lands on lands designated Parks and Open Space Areas.

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment 528 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and passed on October 10, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT 528 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 2, Shaping the City, Section 2.3.2 Toronto's Green Space System and Waterfront, is amended by inserting into Policy 2.3.2.4 the words "except where such sale or disposal is in accordance with Policy 4.3.9 of this Plan" after the words "sold or disposed of" such that Policy 2.3.2.4 reads as follows:

"4. The sale or disposal of publicly owned lands in the *Green Space System* will be discouraged. No City owned land in the *Green Space System* will be sold or disposed of except where such sale or disposal is in accordance with Policy 4.3.9 of this Plan. However, City owned land in the *Green Space System* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility."
2. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by inserting into Policy 4.3.8 the words "unless such sale or disposal satisfies the criteria set out in Policy 4.3.9 of this Plan" after the words "sold or disposed of" such that Policy 4.3.8 reads as follows:

"8. The sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City owned lands in *Parks and Open Space Areas* will be sold or disposed of, unless such sale or disposal satisfies the criteria set out in Policy 4.3.9 of this Plan. However, City owned lands in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility."
3. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by adding a new Policy 4.3.9 after Policy 4.3.8 as follows:

"9. The sale or disposal of City owned lands in *Parks and Open Space Areas* may occur where the lands will be restored and enhanced, all existing development criteria of this Plan are satisfied, including those in Policy 4.3.6 and the appropriate assessment referenced in Policy 4.3.2, and the sale or disposal:

 - a) is to a public agency for the purpose of undertaking a conservation project; or
 - b) is an easement necessary to allow for essential underground public works and utilities, including alternative energy systems, together with associated access and control points, where there is no reasonable alternative and there is no associated restriction to public access except during construction and maintenance."

4. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by adding new unshaded sidebar text in the proximity of new Policy 4.3.9 as follows:

"For greater clarity, "sold or disposed of" means sold or otherwise disposed of by way of a grant in fee simple or a grant of a leasehold or easement interest where the unexpired term of such interest, including any rights of renewal or extension, exceeds 21 years, and "sale or disposal" shall have a corresponding meaning.

When public works that are not subject to the Environmental Assessment Act are planned to traverse, coincide with, or otherwise affect the Natural Heritage System, a Natural Heritage Impact Study may be required to be submitted by the applicant and approved by the City and the Toronto and Region Conservation Authority."