

Attachment 5: Draft Zoning By-law to Amend By-law 1060-2013

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX

To amend former City of Scarborough Malvern Community Zoning By-law No. 14402 and By-law No. 1060-2013, as amended, with respect to the lands municipally known in the year 2013 as, 1088 Progress Avenue

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of 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, as amended; 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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and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Council at its meeting of July 16, 17, 18, and 19, 2013 enacted By-law 1060-2013 being a by-law described in the repealed subsection 37(1) of the Planning Act and this By-law does not amend or remove the requirement to provide facilities, services or matters and therefore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 or matters for which the previous increases in height and density as set out in the Zoning By-law 1060-2013 were secured to fund;

The Council of the City of Toronto enacts:

1. By-law 1060-2013 is amended by adding a new Section 43.3., so that it reads:

“In the event the cash contributions referred to in Section 1 have not been used for the intended purpose within 3 years of the enactment of By-law 1060-2013, 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 month ##, 20##.

Frances Nunziata
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)