Chapter 415

DEVELOPMENT OF LAND

ARTICLE I
Development Charges

ARTICLE II
Delegation of Certain Powers and Authority Respecting Planning Approvals

[History: Adopted by the Council of the City of Toronto as indicated in article histories. Amendments noted where applicable.]

General References

Building construction and demolition - See Ch. 363.
Residential rental property demolition and conversion control - See Ch. 667.
Assessment Act - See R.S.O. 1990, c. A.31.
Building Code Act, 1992 - See S.O. 1992, c. 23
City of Toronto Act, 2006 - See S.O. 2006, c. 11, Sched. A.
Condominium Act - See S.O. 1998, c. 19.
Co-operative Corporations Act - See R.S.O. 1990, c. C.35.
Development Charges Act, 1997 - See S.O. 1997, c. 27.
Education Act - See R.S.O. 1990, c. E.2.
Long-Term Care Homes Act, 2007 – See S.O. 2007, c. 8.
Nursing Homes Act - See R.S.O. 1990, c. N.7.
Ontario Colleges of Applied Arts and Technology Act, 2002 - See S.O. 2002, c. 8, Sched. F.
Planning Act - See R.S.O. 1990, c. P.13.
Public Hospitals Act - See R.S.O. 1990, c. P.40.

ARTICLE I
Development Charges

[Adopted 2022-08-15 by By-law 1137-2022[1]]

§ 415-1. Definitions.

As used in this article the following terms shall have the meanings indicated:

ACCESSORY USE - The building or structure or part thereof that is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure.

ACT - The Development Charges Act, 1997, S.O. 1997, c.27.

APARTMENT UNIT - A residential dwelling unit within a residential building, or the residential portion of a mixed use building, where such unit is accessed through a common principal entrance from the street level and an interior enclosed corridor, and the building contains three or more units with such access, and includes a stacked townhouse.

BACHELOR UNIT - A residential dwelling unit consisting of a self-contained living area in which culinary and sanitary facilities are provided for the exclusive use of the occupant but not including a separate bedroom.

BACK TO BACK TOWNHOUSE - A building that has three or more dwelling units, joined by common side and rear walls above grade, and where no dwelling unit is entirely or partially above another.

BEDROOM - A room used or designed or intended for use as sleeping quarters but does not include a living room, dining room, kitchen or an area to be used as a den, study or other similar area.

BOARD OF EDUCATION - The same meaning as that specified in the Education Act.

BUILDING CODE ACT - The Building Code Act, 1992, S.O. 1992, c.23.

BUILDING PERMIT - A permit issued pursuant to the Building Code Act that permits the construction, alteration or change in use of a building or structure which is described in its respective building permit application.

BUILDING PERMIT APPLICATION - An application submitted to and accepted by the Chief Building Official for a building permit which complies with the applicable zoning by-law and with all technical requirements of the Building Code Act and includes the payment of all applicable fees.

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[1] **Editor's Note: This by-law was passed under the authority of the Development Charges Act, 1997, S.O. 1997, c. 27. and came into force on August 15, 2022. By-law 1137-2022 also repealed former Article 1, Development Charges, which was adopted by By-law 515-2018.**

CAPITAL COST - The same meaning it has in the Act.

CHIEF BUILDING OFFICIAL - A chief building official appointed or constituted under section 3 of the Building Code Act and shall include their designates.

CHIEF FINANCIAL OFFICER - The Chief Financial Officer and Treasurer for the City and shall include their designates.

CITY SOLICITOR - The City Solicitor for the City and shall include their designates.

DEVELOPMENT - Any activity or proposed activity in respect of land that requires one or more of the actions referred to in § 415-5A and includes a trailer or mobile home park, the redevelopment of land or the redevelopment, expansion, extension or alteration, or any two or more of them, of a use, building or structure.

DEVELOPMENT CHARGE - A charge imposed under this article.

DUPLEX - A building that has two dwelling units with one dwelling unit entirely or partially above another.

DWELLING ROOM - A room used or designed for human habitation and may include either but not both culinary or sanitary conveniences, and:

A. Includes but is not limited to rooms in the following building types as defined in this article: a group home, long-term care home, a retirement home or lodge and a special care or special need dwelling.

B. Does not include:

(1) A room in a hotel, motel or tourist home;

(2) A bathroom or kitchen;

(3) A room in a dwelling unit;

(4) A windowless storage room that has a floor area of less than 10 square metres; or

(5) A guest suite or similar room that is provided as part of a residential building and that is needed to satisfy, in whole or in part, a zoning bylaw requirement to provide indoor amenity space, and which room is for the exclusive use of the occupants of the residential building.

DWELLING UNIT - Living accommodation comprising a single housekeeping unit within any part of a building or structure used, designed or intended to be used by one person or persons living together, in which both culinary and sanitary facilities are provided for the exclusive use of such person or persons, but does not include a room or suite of rooms in a hotel.

FORMER MUNICIPALITIES - The former Municipality of Metropolitan Toronto, the former Cities of Etobicoke, North York, Scarborough, Toronto and York and the former Borough of East York as they existed on December 31, 1997.

GRADE - The average level of proposed or finished grade adjoining a building or structure at all exterior walls.

GROUP HOME - A residential building or the residential portion of a mixed-use building containing a single housekeeping unit supervised on a twenty-four hour a day basis on site by agency staff on a shift rotation basis, funded wholly or in part by any government and licensed, approved or supervised by the Province of Ontario under a general or special Act.

GROUND FLOOR - For the purposes of § 415-7, ground floor shall be the floor of a building or structure which is closest to grade, except that a building or structure that is entirely below grade shall be deemed to not have a ground floor for the purposes of imposing a development charge.

HOTEL - A commercial establishment offering temporary accommodations on a daily or weekly rate to the public, and where all rooms, suites, apartments or similar forms of accommodation are owned by a single owner or entity.

INCLUSIONARY ZONING UNIT - any dwelling unit that is defined as an Affordable Rental Housing Unit or an Affordable Ownership Housing Unit in City of Toronto By-law 941-2021 (Inclusionary Zoning), as may be amended from time to time, or any successor thereto, and secured in an agreement pursuant to section 35.2 of the Planning Act.

INDUSTRIAL USES - Land, buildings or structures used or designed or intended for use for or in connection with manufacturing, producing or processing of goods, warehousing or bulk storage of goods, self-storage facility, distribution centre, truck terminal, research and development in connection with manufacturing, producing or processing of goods, and:

A. Includes office uses and the sale of commodities to the general public where such uses are accessory to and subordinate to an industrial use.

B. Does not include:

(1) A building used exclusively for office or administrative purposes unless it is attached to an industrial building or structure as defined above; or

(2) Warehouse clubs and retail warehouses, including commercial establishments which have as their principal use the sale of goods and merchandise in a warehouse format.

LOCAL BOARD - The same meaning as defined in the Act.

LONG-TERM CARE HOMES - A residential building or the residential portion of a mixed-use building licensed as a long-term care home under the Long-Term Care Homes Act, 2007, as amended.

MOBILE HOME - Any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer.

MULTIPLE DWELLING UNIT - All dwellings units other than a single detached dwelling, a semi-detached dwelling or an apartment unit, but includes a dwelling unit in a row dwelling, duplex or triplex, and a back to back townhouse.

NON-PROFIT HOSPICE - A residential building which is owned by a not-for-profit corporation and operated on a not-for-profit basis to provide accommodation and end of life or palliative care for terminally ill persons.

NON-RESIDENTIAL GROSS FLOOR AREA - In the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party or demising walls dividing a non-residential use and a residential use, except for:

A. A room or enclosed area within the building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;

B. Loading facilities above or below grade; and

C. A part of the building or structure above or below grade that is used for the parking of motor vehicles which is associated with but accessory to the principal use.

NON-RESIDENTIAL USES - Land, buildings or structures or portions thereof used, or designed or intended for any use other than for a residential use as defined in this article.

OWNER - The owner of land or a person who has made application for an approval of the development of land against which a development charge is imposed.

PARTY WALL - A wall jointly owned and jointly used by two parties under an easement agreement or by right in law and erected at or upon a line separating two parcels of land each of which is, or is capable of being, a separate real estate entity.

PLACE OF WORSHIP - That part of a building or structure that is used primarily for worship and is exempt from taxation as a place of worship under the Assessment Act.

PURPOSE BUILT RENTAL UNIT - A residential dwelling unit within a residential building or structure with four or more dwelling units which are intended for use as rented residential premises, and which unit is not capable of being legally conveyed as a separate interest in land apart from the other dwelling units in such building or structure.

RESIDENTIAL GROSS FLOOR AREA - In the case of a dwelling unit, the total area of all floors measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other

dwelling unit or other portion of a building, but does not include any part of the unit used for the parking of motor vehicles or common service areas.

RESIDENTIAL USE - Land, buildings or structures of any kind whatsoever or any portion thereof, used, designed or intended to be used as living accommodations, including accessory uses naturally and normally incidental in purpose and exclusively devoted to the residential use, for one or more individuals, and includes a unit designed for combined live/work uses and a building or structure providing accommodations for students attending a college or university, but does not include a hotel or similar building or structure providing temporary accommodation.

RETIREMENT HOME OR LODGE - A residential building or the residential portion of a mixed-use building which provides room and board accommodation for senior citizens and is not presently governed under any Provincial Act.

ROOMING HOUSE - A building originally constructed as a single detached house or semi-detached house that:

A. Contains dwelling rooms designated or intended for use as a living accommodation by more than three persons; and

B. May also contain one or more dwelling units.

ROW DWELLING - One of a series of three or more attached residential buildings with:

A. Each building comprising one dwelling unit;

B. Each building divided vertically from another by a party wall; and

C. Each building located on a lot.

SECONDARY DWELLING UNIT - A dwelling unit, whether contained within a proposed single detached dwelling or semi-detached dwelling, or ancillary to a single detached dwelling or a semi-detached dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, which:

A. comprises an area less than the gross floor area of the primary dwelling unit; and

B. is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.

SEMI-DETACHED DWELLING - A residential building consisting of two dwelling units having one vertical wall, but no other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with one secondary dwelling unit as defined in this bylaw is deemed to be a semi-detached dwelling.

SERVICES (OR SERVICE) - Those services designated in § 415-2C.

SINGLE DETACHED DWELLING and SINGLE DETACHED - A residential building consisting of one dwelling unit and not attached to another structure used for residential uses or purposes and includes mobile homes. For the purposes of this definition, a single detached dwelling with one secondary dwelling unit as defined in this bylaw is deemed to be a single detached dwelling.

SPECIAL CARE OR SPECIAL NEED DWELLING - A building containing more than four dwelling units or dwelling rooms that is designed to accommodate individuals with specific needs, including independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping nursing, respite care and attendant services are provided at various levels, and:

A. The units have a common entrance from street level;

B. The occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; and

C. The units or rooms may or may not have exclusive sanitary or culinary facilities or both.

STACKED TOWNHOUSE - A building that has three or more dwelling units, joined by common side walls with dwelling units entirely or partially above another.

TRIPLEX - A building that has three dwelling units with at least one dwelling unit entirely or partially above another.

§ 415-2. Designation of services.

A. It is declared by the Council that all development of land within the City will increase the need for services;

B. Once this article is in force, the development charge applicable to a development as determined under this article shall apply without regard to the services required or used by any individual development; and

C. Development charges shall be imposed for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:

(1) Spadina Subway extension;

(2) Transit (balance);

(3) Roads and related;

(4) Water;

(5) Sanitary sewer;

(6) Storm water management;

(7) Parks and recreation;

(8) Library;

(9) Housing Services -Shelter;

(10) Housing Services - Affordable housing;

(11) Police;

(12) Fire;

(13) Ambulance Services;

(14) Development-related studies;

(15) Child care;

(16) Waste Diversion; and

(17) Long Term Care.

§ 415-3. Rules; applicability.

A. For the purpose of complying with section 6 of the Act, rules have been developed as follows:

(1) The rules for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be in accordance with §§ 415-4 through 415-14.1;

(2) The rules for determining the exemptions shall be in accordance with § 415-6;

(3) The rules for determining the indexing of development charges shall be in accordance with § 415-11;

(4) The rules for determining the phasing in of development charges shall be in accordance with § 415-12;

(5) The rules respecting the redevelopment of land shall be in accordance with § 415-7; and

(6) The area to which this article applies shall be the area described in § 415-4.

B. Development charges shall be payable in the amounts set out and phased in accordance with § 415-12 and Schedules A-1 to A-3, inclusive, and B-1 and B-2 at the end of this chapter, where land is located in the area described in § 415-4A and the development of the land requires any of the approvals set out in § 415-5A.

§ 415-4. Areas to which this article applies.

A. This article applies to all land in the geographic area of the City, and applies whether or not the land or use is exempt from taxation under section 3 of the Assessment Act; and

B. This article shall not apply to land that is owned by and used for the purposes of:

(1) The City or a local board thereof as defined in the Act; or

(2) A board of education.

§ 415-5. Approvals for development.

A. Development charges shall be imposed on all land, buildings or structures that are developed if the development requires:

(1) The passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;

(2) Approval of a minor variance under section 45 of the Planning Act;

(3) A conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;

(4) The approval of a plan of subdivision under section 51 of the Planning Act;

(5) A consent under section 53 of the Planning Act;

(6) the approval of a description under section 9 of the Condominium Act, 1998; or

(7) The issuing of any permit under the Building Code Act in relation to a building or structure.

B. No more than one development charge for each service designated in § 415-2C shall be imposed upon any land, building or structure to which this article applies even though two or more of the actions described in § 415-5A are required before the land, building or structure can be developed.

§ 415-6. Exemptions.

A. Exemptions for intensification of housing

(1) Development charges shall not be imposed with respect to the residential development of land or buildings that is exempt pursuant to subsections 2(3) and 2(3.1) of the Development Charges Act and its related Regulation.

(2) Where not already exempt pursuant to subsections 2(3) and 2(3.1) of the Development Charges Act as in Subsection A(1) above, development charges shall not be imposed with respect to the second, third or fourth residential

dwelling unit constructed on a single residential parcel of land or within a single residential building, whether constructed as part of or ancillary to the primary residential dwelling on such parcel of land, provided that such exemption applies only to a development of no more than four units on such single parcel of land.

B. Other Exemptions

Despite the provisions of this article, development charges shall not be imposed with respect to:

(1) Land, buildings or structures used or to be used for a public hospital receiving aid under the Public Hospitals Act, and used for the purposes set out in such Act;

(2) Land, buildings or structures used or to be used for a Non-Profit Hospice as defined in this article;

(3) Land, buildings or structures that are exempt from taxation under the enabling legislation of a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002, and used for the purposes set out under such enabling legislation;

(4) Land, buildings or structures used or to be used for a place of worship and including one dwelling unit or dwelling room provided that it is to be used solely for residential purposes by the religious leader of such place of worship, or land, buildings or structures used or to be used for the purpose of a cemetery or burial ground;

(5) Temporary sales offices or pavilions that are required and associated with the sale of new residential development to the public at large;

(6) Industrial uses;

(7) Development creating or adding an accessory use or accessory structure not exceeding 10 square metres of residential or non-residential gross floor area;

(8) Land, buildings or structures that are the subject of a written agreement entered into by the City or a Former Municipality which agreement in words expressly exempts the land, buildings or structures from development charges;

(9) The portion of development charges in respect of housing or facilities provided pursuant to a municipal capital facilities agreement or a by-law passed by Council under Section 252 of the City of Toronto Act, 2006, where such agreement or by-law provides for a full or partial exemption from development charges;

(10) Dwelling rooms within a rooming house; and

(11) A temporary building or structure constructed, erected or placed on land for a continuous period not exceeding eight months, if:

(a) The status of the building or structure as a temporary building or structure is maintained in accordance with the provisions of this article; and

(b) Upon application being made for the issuance of a permit under the Building Code Act, in relation to a temporary building or structure on land to which a development charge applies, the City may require that the owner submit security satisfactory to the City, to be realized upon in the event that the building or structure is present on the subject land for a continuous period exceeding eight months, and development charges thereby become payable.

C. Onus

The onus is on the owner or applicant to produce evidence to the satisfaction of the City which establishes that the owner or applicant is entitled to any exemption from the payment of development charges claimed under this section, including that the use of any building or structure has been legally established pursuant to all applicable zoning by-laws and all building statutes and regulations relating to the construction of buildings.

§ 415-7. Amount of charge.

A. Residential charge:

(1) Development charges shall be imposed on residential uses of land, buildings or structures, including a dwelling unit or a dwelling room accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential dwelling unit or dwelling room, and calculated in accordance with each of the services and amounts set out in Schedules A-1,A-2 and A-3 at the end of this chapter, except that:

(a) for any building or structure containing Inclusionary Zoning Units as defined in this article, development charges shall be calculated in accordance with Schedule A-1 at the end of this chapter for all units within the development; and

(b) for any Purpose Built Rental Unit as defined in this article, development charges shall be calculated in accordance with Schedule A-1 at the end of this chapter;

(2) Where a development charge has been paid or would be payable for a dwelling unit at the development charge rate applicable to a Purpose Built Rental Unit in accordance with Subsection A(1) above and the building subsequently receives condominium approval pursuant to the Condominium Act, or receives a part lot by-law exemption, consent to sever or any other planning approval allowing such unit to be conveyed as a separate parcel, then as a condition of condominium approval or such other planning approval, the owner shall be required to pay the difference between the development charge rate paid or would be payable for the

Purpose Built Rental Unit and the development charge rate in Schedule A-2 or A-3, including indexing, that would have applied had such unit(s) not been deemed to be a Purpose Built Rental Unit, according to the unit type in question and with interest calculated from the date that the development charge was originally paid or payable to the date of such planning approval and at an interest rate as determined by the Chief Financial Officer;

(3) For a secondary dwelling unit, development charges shall be imposed at the rates for an apartment unit, according to the rate applicable to the proposed number of bedrooms;

(4) Notwithstanding Subsection A(3) above, for secondary dwelling units located in the rear yard of a lot and which are not exempt from payment of development charges pursuant to § 415-6A(2) of this article:

(a) development charges will not be imposed upon the issuance of a building permit where an agreement has been executed in accordance with Section 27 of the Act, and development charges shall be payable in accordance with that agreement; and

(b) in accordance with Section 26(2) of the Act, development charges will be payable upon the execution of a subdivision agreement under Section 51 of the Planning Act, as amended, a consent agreement under Section 53 of the Planning Act, as amended, or a condominium agreement under the Condominium Act, 1998, as amended, the development charge payable shall be based on the built form of the dwelling unit, and the development charge rate applicable at the time of such subdivision, consent or condominium agreement.

(5) Where development charges have been paid with respect to land, buildings or structures which the City has certified as having met all of the Tier 2, Tier 3 or Tier 4 requirements of the Toronto Green Standard Program, or successor program, a refund will be given in an amount equal to the amount calculated according to the residential building type multiplied by the amount set out in Column 2 or 3 of Schedule C as of the date that the refund is to be calculated and paid, provided that no refund will be made for any units that were exempt from payment of development charges nor any units for which a reduction was given pursuant to § 415-7C; and

(6) Notwithstanding Subsection A(5), in no event will a refund be given for Tier 2, Tier 3 or Tier 4 requirements of the Toronto Green Standard Program, where an application to the Toronto Green Standard Program has not been made and approved by the City within 1 year of the in effect date of the most recent Council approved Toronto Green Standard.

B. Non-residential charge.

(1) Development charges shall be imposed upon all non-residential uses of land, buildings or structures, and in the case of a mixed-use building or structure upon all non-residential uses of the mixed-use building or structure, according to the amount of non-residential gross floor area which is located on the ground floor of such building or structure, and calculated with respect to each of the services and amounts set out in Schedule B-1 at the end of this chapter, except that for any building or structure containing Inclusionary Zoning Units as defined in this article development charges for all non-residential gross floor area located on the ground floor of such building or structure shall be calculated in accordance with Schedule B-2 at the end of this chapter.

(2) Where development charges have been paid with respect to land, buildings or structures which the City has certified as having met all of the Tier 2, Tier 3 or Tier 4 requirements of the Toronto Green Standard Program, or successor program, a refund will be given in an amount equal to the amount calculated according to the amount of non-residential gross floor area which is located on the ground floor multiplied by the amount set out in Column 2 or 3 of Schedule C as of the date the refund is to be calculated and paid, provided no refund will be made for any gross floor area that was exempt from payment of development charges nor any gross floor area for which a reduction was given pursuant to § 415-7C; and

(3) Notwithstanding Subsection B(2), in no event will a refund be given for Tier 2, Tier 3 or Tier 4 requirements of the Toronto Green Standard Program, where an application to the Toronto Green Standard Program has not been made and approved by the City within 1 year of the in effect date of the most recent Council approved Toronto Green Standard.

C. Redevelopment.

(1) Despite any other provision of this article and subject to Subsections C(3) and C(4), where, as a result of the redevelopment of land, a demolition permit has been issued within the sixty month period immediately prior to the date of submission of a complete building permit application with respect to the whole or a part of a building or structure existing on the same land, or a building or structure is to be converted from one principal use to another principal use on the same land, the development charges otherwise payable with respect to such building permit application shall be reduced as follows:

(a) In the case of a residential building or structure, or the residential uses in a mixed-use building or structure, which is being redeveloped for residential or non-residential purposes, the development charges payable will be reduced by an amount calculated by multiplying the applicable development charge under Subsection A by the number of dwelling units or dwelling rooms that have been or will be demolished or converted to

another type of residential use or non-residential use, and according to the type of dwelling unit or dwelling room so demolished or converted;

(2) Despite any other provision of this article and subject to Subsections C(3) and C(4), where, as a result of the redevelopment of land, a demolition permit has been issued within the thirty-six month period immediately prior to the date of submission of a complete building permit application with respect to the whole or a part of a building or structure existing on the same land, or a building or structure is to be converted from one principal use to another principal use on the same land, the development charges otherwise payable with respect to such building permit application shall be reduced as follows:

(a) In the case of a non-residential building or structure, or the non-residential uses in a mixed-use building or structure, which is being redeveloped for non-residential purposes:

(1) In the case of demolition, no development charge will be imposed to the extent that the existing non-residential gross floor area to be demolished and which is located on the ground floor would have been, if newly constructed, subject to the payment of development charges at the time of building permit issuance for the new building or structure and is replaced by the new non-residential gross floor area; and

(2) In the case of the conversion of an existing non-residential building or structure to another non-residential use where there is no demolition, no development charge will be imposed on the existing non-residential gross floor area so converted.

(b) In the case of a non-residential building or structure, or the non-residential uses in a mixed-use building or structure, which is being redeveloped for residential purposes, the development charges payable will be reduced by an amount calculated by multiplying the non-residential development charge rate set out in Schedule B by the amount of existing non-residential gross floor area to be demolished or converted which is located on the ground floor that would have been, if newly constructed, subject to the payment of development charges at the time of building permit issuance for the new building or structure.

(3) Where, for the protection of rental housing or in furtherance of other City objectives, the City requires an owner to construct a new building prior to being permitted to demolish an existing building or structure, or the City requires the early demolition of an existing building or structure, such that the owner is disentitled to the reduction as provided for in Subsection C(1) or C(2) above, the Chief Financial Officer has the authority to enter into an agreement, in a form satisfactory to the City Solicitor, to provide for such reduction to be given to an owner upon demolition of the buildings, and in accordance with the terms of such agreement.

(4) The amounts of any reduction under Subsection C(1) or C(2) shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

(5) Any reduction under Subsection C(1) or C(2) shall apply only where the use of the building or structure that has been or will be demolished or converted to another use has been legally established pursuant to all applicable zoning by-laws and all building statutes and regulations relating to the construction of buildings.

D. Onus.

The onus is on the owner or applicant to produce evidence to the satisfaction of the City which establishes that the owner or applicant is entitled to any reduction in the payment of or refund of development charges claimed under this section.

§ 415-8. Calculation and payment of development charges.

A. Development charges applicable to a development shall be payable and collected on the date a building permit is issued in respect of the building or structure for which the owner has made a building permit application, unless the development charge is to be paid at a different time under Sections 26 or 26.1 of the Act, or is to be paid or has been paid at a different time under an agreement pursuant to Section 27 of the Act;

B. The amount of development charges payable in respect of a development shall be determined by applying the development charge rates in effect on the date that a building permit is issued in respect of the building or structure for which the owner has made a building permit application, unless the applicable development charge rates are to be determined under Section 26.2 of the Act or on a different date under an agreement pursuant to Section 27 of the Act;

C. Despite § 415-5B, if two or more of the actions described in § 415-5A occur at different times, additional development charges shall be imposed in respect of any increased non-residential gross floor area or additional dwelling units or dwelling rooms permitted by that action;

D. Where the only outstanding applicable law requirement to allow the issuance of a building permit is the payment of development charges and the required development charge payment has been made to the City, and there has been a change in the development charge rates between the date of such payment and the date the building permit is issued, then for the purposes of the calculation in § 415-8A and 415-8B the development charge rates in effect on the date that such payment was received by the City shall be applied;

E. Despite the provisions of this article, Council may enter into an agreement with any person who is required to pay a development charge providing for all or any part of the development charge to be paid before or after it would otherwise be payable;

F. Where under a written agreement entered into by a Former Municipality which required payments pursuant to a by-law of the Former Municipality enacted under the Development Charges Act, R.S.O. 1990, unless the agreement provides otherwise, any payment of the development charge under the agreement shall be a pro rata credit against the outstanding balance of the development charge applicable to the development which shall be calculated on a pro rata basis, payable and collected as of the date a building permit is issued, in respect of the building or structure for the use to which the development charge applies, but the amount of any such credit shall not exceed, in total, the amount of the development charge otherwise payable;

G. Where under a written agreement entered into by a Former Municipality which required the provision of work pursuant to the Development Charges Act, R.S.O. 1990, relating to a service set out in § 415-2, unless the agreement provides otherwise, the provision of services under the agreement shall be a pro rata credit equal to the reasonable cost to the owner of providing the work or service, against the balance of the development charge applicable to the development which shall be calculated on a pro rata basis, payable and collected as of the date a building permit is issued, in respect of the building or structure for the use to which the development charge applies, but the amount of any such credit shall not exceed the total amount of the development charge payable with respect to that service applicable to that development and calculated in accordance with the charge by service set out in Schedules A-1 to A-3, inclusive, and B-1 and B-2 at the end of this chapter;

H. The amount of the development charge payable upon the issuance of a building permit shall be reduced by an amount equal to the applicable charge by service, as set out on Schedules A-1 to A-3, inclusive, and B-1 and B-2 at the end of this chapter, for each service for which payment has previously been made under the terms of a subdivision agreement entered into with the City pursuant to section 51 of the Planning Act;

I. Where a development charge or any part of it remains unpaid at any time after it is payable, the amount unpaid shall be added to the tax roll and shall be collected in the same manner as taxes;

J. Where a development charge has been paid in respect of a residential building or structure, and the development is subsequently revised within the same building envelope but with a different distribution of unit types such that a revised building permit and new calculation of development charges payable is required, the calculation of the amount of development charges payable will be made in respect of such revised building permit as follows:

(1) Where there is an increase in the number of any type of dwelling unit or dwelling room, the development charges payable will be calculated by multiplying the number of such dwelling units or dwelling rooms so increased by the development charge rate then in effect according to the type of dwelling unit or room; and

(2) Where there is a decrease in the number of any type of dwelling unit or dwelling room, the development charges payable will be reduced by multiplying the

number of such dwelling units or dwelling rooms so reduced by the development charge rate that was in effect and collected for such unit type upon issuance of the initial building permit for the development;

provided that in no case shall any refund be provided in an amount greater than the amount of development charges paid upon issuance of such initial building permit;

K. Where a development charge has been paid in respect of a non-residential building or structure, and the development is subsequently revised within the same building envelope but such that a revised building permit and new calculation of development charges payable is required, the calculation of the amount of development charges payable will be made in respect of such revised building permit as follows:

(1) Where there is an increase in the amount of non-residential gross floor area, the development charges payable will be calculated by multiplying the amount of gross floor area so increased by the development charge rate then in effect; and

(2) Where there is a decrease in the amount of non-residential gross floor area, the development charges payable will be reduced by multiplying the amount of gross floor area so reduced by the development charge rate that was in effect and collected upon issuance of the initial building permit for the development,

provided that in no case shall any refund be provided in an amount greater than the amount of development charges paid upon issuance of such initial building permit;

L. Where a development charge has been paid in respect of an application for a building permit prior to the date on which the development charge is payable and the building permit, for whatever reason, is not issued until a later date, such earlier payment does not constitute full payment of all development charges payable, and on the date of actual building permit issuance the amount of development charges payable will be calculated to reflect any change in development charge rates since the date of the original payment, and the difference in development charges payable, if any, shall be paid prior to issuance of the building permit; and

M. Where an owner makes a subsequent building permit application for a building or structure that is built, in whole or in part, above, on top of or attached to another existing building or structure, including a podium or parking structure whether above or below grade, development charges are due and payable upon issuance of the building permit for such subsequent building or structure, and not at the time of issuance of the building permit for the underlying or supporting existing building or structure.

§ 415-9. Payment by services.

A. Despite the provisions of this article, Council may by prior written agreement permit an owner to provide services in lieu of the payment for all or any portion of a development charge. Where a prior written agreement has been entered into, the City shall give the owner who performed the work a credit towards the development charge in accordance with the agreement and subject to the requirements of the Act, but the credit shall not

exceed the total amount of the development charge payable with respect to that service and calculated in accordance with the charge by service set out in Schedules A-1 to A-3, inclusive, and B-1 and B-2 at the end of this chapter; and

B. Nothing in this article prevents Council from requiring, as a condition of any approval given under the Planning Act, that the owner, at the owner's expense, install such local services and local connections as Council may require and are related to the development.

§ 415-10. Front ending agreements.

Council may enter into front ending agreements with an owner or owners of land in accordance with section 44 of the Act.

§ 415-11. Indexing.

A. The development charges set out in Schedules A-1 to A-3, inclusive, and Schedules B-1, B-2 and C at the end of this chapter shall be adjusted by the City without amendment to this article on May 1, 2023, in accordance with the most recent annual change in the Statistics Canada Quarterly Construction Price Statistics, and annually thereafter on May 1 of each subsequent year; and

B. For greater certainty, the Non-Residential Building Construction Price Index (Toronto) shall be used.

§ 415-12. Phasing in of development charges.

The phasing in of the development charge calculated, payable and collected under this article shall be as shown on Schedules A-1 to A-3, inclusive, and B-1 and B-2 at the end of this chapter.

§ 415-13. Term of article.

This article shall continue in full force and effect for a term of five years from the date on which it comes into force, unless repealed on an earlier date.

§ 415-14. Refunds.

A. Where a development charge has been paid on the issuance of a building permit and the building permit is subsequently cancelled or revoked, for the purposes of this article the building permit shall be deemed never to have been issued, and the amount of the development charges paid shall be refunded to the payor without interest; and

B. Where a development charge has been paid on the issuance of a building permit, and it is subsequently determined by the City that there was an error in the calculation of the amount of such payment such that there was an overpayment of development charges, the Chief Financial Officer, in consultation with the City Solicitor, is authorized to refund to the payor the amount of such overpayment without interest, such refund to be paid from the applicable development charge reserve fund or funds.

§ 415-14.1. Additional development charges.

Additional development charges may be imposed under other by-laws.

ARTICLE II
Delegation of Certain Powers and Authority Respecting Planning Approvals

[Adopted 2000-04-13 by By-law 229-2000[2]]

§ 415-15. Authority for giving of consents.

A. The authority for the giving of consents for the creation of new lots, as permitted under section 54 of the Planning Act, is delegated to the Committee of Adjustment.

B. The authority for the giving of consents other than consents for the creation of new lots, as permitted under section 54 (2) of the Planning Act, is delegated to the Secretary-Treasurer of the Committee of Adjustment or his or her representative.

§ 415-16. Approval of plans of subdivision.

The authority for approving a plan of a subdivision in respect of land situated within the City's boundaries under section 51 of the Planning Act is delegated to the Chief Planner and his or her designate.

§ 415-17. Draft condominium approvals.

[Amended 2007-07-19 by By-law 885-2007]

A. The authority for the giving of draft condominium approvals under section 9 of the Condominium Act, 1998, except for applications involving the conversion of six or more rental housing units and exemptions from draft approval as appropriate, is delegated to the Chief Planner and his or her representatives.

B. Reserved.[3]

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

[Amended 2009-05-27 by By-law 580-2009; 2022-02-03 by By-law 46-2022]

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:

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[2] **Editor's Note: This by-law was passed under the authority of sections 5(1), 51.2 (1) and 54 of the Planning Act, R.S.O. 1990, c. P.13.**

[3] **Editor's Note: By-law 286-2023, enacted on April 3, 2023, deleted Section 415-17B, respecting Council retaining all power and authority under section 9 of the Condominium Act, 1998.**

(1) Agreements securing conditions imposed by either the Committee of Adjustment or the Ontario Land Tribunal in respect of a consent to sever;

(2) Agreements securing conditions imposed by either the Committee of Adjustment or the Ontario Land Tribunal in respect of a variance;

(3) Agreements securing conditions of site plan approval imposed by the Ontario Land Tribunal;

(4) Agreements to secure conditions of approval of a plan of subdivision imposed by the Ontario Land Tribunal;

(5) Agreements under section 37 of the Planning Act that secure the provision of public benefits imposed by the Ontario Land Tribunal; and

(6) Subject to § 415-17 agreements to secure conditions of approval of condominium imposed by the Ontario Land Tribunal.

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 Land Tribunal that would require the City expenditure of unbudgeted funds.

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

[Added 2009-05-27 by By-law 580-2009; amended 2022-02-03 by By-law 46-2022]

A. The authority to instruct the City Solicitor on what position to take at an Ontario Land Tribunal 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. Reserved.[4]

[4] **Editor's Note: By-law 286-2023, enacted on April 3, 2023, as amended by By-law 590-2023, enacted on June 18, 2023, deleted Section 415-18.1B, respecting when shall instruct the City Solicitor on what position to take at an Ontario Land Tribunal hearing.**

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

[Added 2023-07-20 by By-law 701-2023[5]]

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 Subsection A 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 Subsection C 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 Subsection A, nothing shall prevent the Chief Planner and their designate from making recommendations to Council regarding any by-law delegated in Subsection B above through the appropriate Committee of Council.

§ 415-19. Authority respecting site plan approvals.

[Added 2000-07-06 by By-law 483-2000]

A. The power and authority to consider and approve or refuse to approve site plans and drawings submitted by owners of land pursuant to section 114 of the City of Toronto Act, 2006, is delegated to the Chief Planner and his or her designate. **[Amended 2009-05-27 by By-law 580-2009; 2022-02-03 by By-law 46-2022]**

B. The power and authority to require the owners of land to enter into site plan agreements with the City as a condition to the granting of approvals under Subsection A, and the authority to execute such agreements, is delegated to the Chief Planner and his or her representative.

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[5] **Editor's Note: By-law 701-2023 came into force and effect on the day Amendment 660 to the Official Plan of the City of Toronto come in force and effect. Amendment 660 was adopted by By-law 700-2023, which came into force on August 24, 2023. Consequently, By-law 701-2023 came into force on August 24, 2023.**

C. The Chief Planner and his or her designate are authorized and directed to do all things necessary, including, but not limited to, the authority to amend or release any registered agreement or undertaking, to give effect to approval of plans and drawings for a development under section 114 of the City of Toronto Act, 2006, and to require that the approval be conditional upon the minor variances as may already have been approved for the project by the Committee of Adjustment becoming final and binding. **[Amended 2009-05-27 by By-law 580-2009; 2022-02-03 by By-law 46-2022]**

D. Reserved.[6]

§ 415-19.1. Authority respecting completeness of planning applications.

[Added 2008-09-25 by By-law 1039-2008]

A. The authority to determine whether an application submitted to the City pursuant to sections 22, 34, and 51 of the Planning Act and section 114 of the City of Toronto Act, 2006, is complete or incomplete in accordance with the provisions of the Official Plan for the City of Toronto is delegated to the Chief Planner or their designate. **[Amended 2023-04-03 by By-law 286-2023]**

B. If the Chief Planner or his/her designate has received a written request from the local Councillor to be consulted regarding a forthcoming application or applications generally within his/her Ward, the Chief Planner or his/her designate shall inform the Councillor in a timely fashion of any substantive pre-application consultations concerning the forthcoming application that pertain to proposed use, density, height and/or built form and shall consult with the Councillor, subject to the Councillor's availability, prior to determining whether the planning application is complete or incomplete.

C. The authority to notify an applicant as to the completeness or incompleteness of a planning application is delegated to the Chief Planner or his/her designate.

D. Within 30 days of receipt of the processing fee for a planning application, the Chief Planner or his/her designate shall determine whether the application is complete or incomplete and shall notify the applicant and, if requested, the local Ward Councillor accordingly. An incomplete application notification shall identify the missing or deficient information and material necessary to complete the application.

E. The provisions of Subsection D apply, with necessary modifications, to each subsequent remedial submission provided to complete the application.

F. Reserved.[7]

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[6] **Editor's Note: By-law 286-2023, enacted on April 3, 2023, deleted Section 415-19D, respecting Council retaining all power and authority under section 114 of the City of Toronto Act, 2006.**

[7] **Editor's Note: By-law 286-2023, enacted April 3, 2023, as amended by By-law 819-2023, enacted on September 6, 2023, deleted Section 415-19.1F.**

G. To the extent of any conflict between § 415-19.1 and any by-law of the City of Toronto, § 415-19.1 shall prevail.

H. This § 415-19.1 comes into force and effect on the day Amendment 21 to the Official Plan of the City of Toronto is in force and effect.[8]

§ 415-19.2. Mandatory Pre-Application Consultation.

[Added 2022-02-03 by By-law 46-2022[9]; amended 2022-05-12 by By-law 201-2022]

A. The authority to determine whether the requirements of this section are met to permit an application, identified in Subsections B(1) to (4) below, be made to the City under the Planning Act or the City of Toronto Act, 2006 is delegated to the Chief Planner and Executive Director, City Planning or their designate.

B. As a prerequisite to the submission of an application under the Planning Act or the City of Toronto Act, 2006, any applicant shall be required to consult with City Staff, and any external public commenting agencies as may be deemed relevant and required by the Chief Planner and Executive Director, City Planning or their designate, for any of the following applications:

(1) Official Plan Amendment under section 22 of the Planning Act;

(2) Zoning By-law Amendment under section 34 of the Planning Act;

(3) Approval of a plan of subdivision under section 51 of the Planning Act; or

(4) Site Plan Control application under section 114 of the City of Toronto Act, 2006.

C. For greater certainty, an application identified in Subsections B(1) to (4) above shall not be permitted to be made to the City under the Planning Act or the City of Toronto Act, 2006 until the requirements of this section have been satisfied.

D. The required consultation in Subsection B above is subject to the following:

(1) An applicant shall make a request for a pre-application consultation meeting in writing to, and in the form prescribed by, the Chief Planner and Executive Director, City Planning or their designate;

(2) The request made under Subsection D(1) above shall be accompanied with any information and materials required by the Chief Planner and Executive Director, City Planning or their designate;

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[8] **Editor's Note: Amendment 21 came into force October 31, 2008.**

[9] **Editor's Note: Section 19.2 was added by Section 3 of By-law 46-2022, as amended by By-law 401-2022, which came into force on April 3, 2023.**

(3) An applicant shall attend one pre-application consultation meeting with the relevant City staff, and, as deemed necessary, such external commenting agencies, at a time, in a location and in a format determined by the Chief Planner and Executive Director, City Planning or their designate;

(4) Nothing in this section prohibits the Chief Planner and Executive Director, City Planning or their designate from requesting or encouraging additional voluntary meetings subsequent to the required pre-application consultation meeting under Subsection D(3) above;

(5) Notwithstanding Subsection D(3) above, where more than one application described in Subsection B above is intended to be made concurrently to the City for the same lands, one pre-application consultation meeting may be sufficient to satisfy the requirement for such identified concurrent applications for the same lands at the discretion of the Chief Planner and Executive Director, City Planning or their designate;

(6) Where concurrent applications of the types identified in Subsection B above are not made to the City and the intention described in Subsection D(5) above is not followed, the requirements of this section are deemed not to be met for the subsequent separate, and not concurrent, application and such requirements of this section are only met for the first application made to the City;

(7) The prescribed fee, if any, pursuant to Chapter 441, Fees and Charges, is paid to the City; and

(8) Despite Subsection D(5) above, a Mandatory Pre-Application Consultation for any Site Plan Control application will not be permitted to occur concurrently with any other application identified in Subsection B above. **[Added 2023-10-12 by By-law 965-2023]**

E. Where an applicant may have had a voluntary pre-application consultation with the City before April 3, 2023, the Chief Planner and Executive Director, City Planning or their designate may deem the requirements of this section to have been met, if all the following criteria have been satisfied: **[Added 2023-10-12 by By-law 965-2023]**

(1) The voluntary pre-application consultation meeting occurred 12 months or less before the application is proposed to be submitted to the City;

(2) The applicant received a checklist from the City relevant to the application type(s) proposed to be submitted to the City;

(3) The application proposed to be submitted is substantively similar, including the same municipal address(es), but for any revisions made to address comments provided by the City as part of the voluntary meeting; and

(4) There have been no changes to policy, regulation or legislation since the voluntary pre-application consultation meeting which would have an impact on

the relevance of the comments provided by the City or discussions respecting a proposed development that occurred at the prior voluntary pre-application consultation meeting, as determined by the Chief Planner and Executive Director, City Planning or designate.

F. Where an applicant has had a Mandatory Pre-application Consultation with the City on or after April 3, 2023, the Chief Planner and Executive Director, City Planning or their designate may deem the requirements of this section to have been met, if all the following criteria have been satisfied: **[Added 2023-10-12 by By-law 965-2023]**

(1) The Mandatory Pre-Application Consultation meeting occurred 24 months or less before the application is proposed to be submitted to the City;

(2) The applicant received a Mandatory Pre-Application Consultation Checklist from the City relevant to the application type(s) proposed to be submitted to the City;

(3) The application(s) proposed to be submitted are substantively similar, including the same municipal address(es), but for any revisions made to address comments provided by the City as part of the Mandatory Pre-Application Consultation meeting; and

(4) There have been no changes to policy, regulation or legislation since the Mandatory Pre-Application Consultation meeting which would have an impact on the relevance of the comments provided by the City or discussions respecting a proposed development that occurred at the prior Mandatory Pre-Application Consultation meeting, as determined by the Chief Planner and Executive Director, City Planning or designate.

G. Despite Subsections E and F above, a Mandatory Pre-Application Consultation meeting required by this section will deemed to not be satisfied, whether before or after April 3, 2023, where: **[Added 2023-10-12 by By-law 965-2023]**

(1) A time period of 12 months or greater has lapsed from the date of the Pre-Application Checklist has been issued for a voluntary pre-application consultation meeting; or

(2) A time period of 24 months or greater has lapsed from the date of the Pre-Application Checklist has been issued for a Mandatory Pre-Application Consultation meeting required by this section.

(3) For greater certainty, if Subsections G(1) or (2) applies, a new Mandatory Pre-Application Consultation Meeting for the requisite application type(s) will be required to be held by the Chief Planner and Executive Director, City Planning or designate in accordance with this section.

§ 415-20. Authority to enter into municipal infrastructure agreements.

[Added 2009-08-06 by By-law 744-2009; amended 2017-03-29 by By-law 296-2017; 2022-02-03 by By-law 46-2022; 2023-10-12 by By-law 966-2023]

The authority to enter into municipal infrastructure agreements with developers to secure the construction of municipal infrastructure required to support developments or redevelopments is delegated to the Chief Engineer and Executive Director, Engineering and Construction Services and their designates.

§ 415-20.1. Conflicting provisions.

[Amended 2000-10-05 by By-law 869-2000; 2009-08-06 by By-law 744-2009]

To the extent of any conflict between this article and any by-law of a former municipality, this article shall prevail.

ARTICLE III
Conveyance of Land for Park Purposes as a Condition of Development

[Adopted 2022-08-15 by By-law 1144-2022[10]]

§ 415-21. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUILDING AREA

A. In the case of an addition to an existing building or structure, the building or structure as enlarged less the building area of the existing building or structure to be retained.

B. In the case of an alteration to an existing building or structure, the building or structure as altered less the building area of the existing building or structure to be retained and not altered.

C. In the case of an addition and alteration to an existing building or structure, the building or structure as altered plus the area of the addition, less the building area of the existing building or structure to be retained and not altered.

BUILDING PERMIT APPLICATION - An application submitted to and accepted by the Chief Building Official for an above grade building permit that complies with the applicable zoning by-law and with all technical requirements of the Building Code Act, 1992 including payment of all applicable fees.

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[10] **Editor's Note: This by-law was passed under the authority of section 42 of the Planning Act, R.S.O. 1990, c. P.13. and came into force on August 15, 2022. By-law 1144-2022 also repealed former Article III, Conveyance of Land for Park Purposes as a Condition of Development, adopted by By-law 1420-2007.**

DEVELOPMENT

A. The construction, erection or placing of one or more buildings or structures on land.

B. The making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability of the building or structure.

C. The redevelopment of land through the removal of one or more buildings or structures to permit such development.

D. The laying out and establishing of a commercial parking lot.

E. The conversion of a building or structure originally proposed for an exempted or non-residential use, to another use.

DWELLING ROOM - A room used or designed for human habitation which may include either but not both culinary or sanitary conveniences, and:

A. Includes but is not limited to rooms in the following building types:

(1) Group Homes;

(2) Long Term Care Homes;

(3) Retirement Homes or lodges; and

(4) Special care or special needs dwellings.

B. Does not include:

(1) A room in a hotel, motel, tourist home or guest home;

(2) A bathroom or kitchen;

(3) A room in a dwelling unit; and

(4) A windowless storage room that has a floor area of less than 10 square metres.

DWELLING UNIT - Living accommodation comprising a single housekeeping unit within any part of a building or structure used, designed or intended to be used by one or more persons, in which both culinary and sanitary facilities are provided for the exclusive use of such persons, but does not include a room or suite of rooms in a hotel.

ENVIRONMENTAL LANDS - Includes:

A. Valley land, being those lands located below the top of bank as defined by the Toronto and Region Conservation Authority and including any required buffer land or setback beyond the top of bank;

B. Lands identified as Natural Heritage in the official plan;

C. Provincially significant lands including Areas of Natural or Scientific Interest (ANSI), wetlands and environmentally significant areas (ESA);

D. Woodlots;

E. Areas identified in Chapter 658, Ravine and Natural Feature Protection;

F. Storm water management facilities; and

G. Rail berms, noise attenuation fences and crash walls.

HOUSING NOW DEVELOPMENT - Development of affordable and market rental housing on City-owned lands under a long term lease and related development of ownership homes, if any, on City-owned lands sold to a developer, provided all such development occurs as part of the Housing Now Initiative.

HOUSING NOW INITIATIVE - The initiative originally approved by Council through the adoption of Item CC1.3 on December 4, 5 and 13, 2018 and Item EX1.1 adopted January 20 and 31, 2019 to increase the supply of affordable housing by leveraging the value of underutilized City-owned lands.

INDUSTRIAL USES - Lands, buildings or structures used or designed or intended for use for or in connection with manufacturing, producing or processing of goods, warehousing or bulk storage of goods, self-storage facilities, distribution centres, truck terminals, research and development in connection with manufacturing, producing or processing of goods, and:

A. Includes office uses and the sale of commodities to the general public where such uses are accessory to and subordinate to an industrial use.

B. Does not include:

(1) A building used exclusively for office or administrative purposes unless it is attached to an industrial building or structure as defined above; or

(2) Warehouse clubs and retail warehouses, including commercial establishments which have as their principal use the sale of goods and merchandise in a warehouse format.

GARDEN SUITE - a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupant(s) of the suite and is in an ancillary building not abutting a lane. A laneway suite is not a garden suite.

LANEWAY SUITE - A self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, in a detached building that is ancillary to a residential building on the same lot, and is located in the rear yard abutting a lane.

LONG TERM CARE HOME - Living accommodation for persons dependent upon regular nursing care, in a building where there are personal and medical facilities, common lounges and dining areas, and that is licensed under the Long-Term Care Homes Act, 2007.

MUNICIPAL HOUSING PROJECT FACILITY - The class of municipal capital facilities prescribed by paragraph 18 of subsection 2(1) of Ontario Regulation 598/06, and as further defined in the City's Municipal Housing Facility By-law 183-2022, as such by-law may be amended or replaced from time to time.

MUNICIPAL HOUSING PROJECT FACILITY AGREEMENT - An agreement entered into pursuant to section 252 of the City of Toronto Act for the provision of a Municipal Housing Project Facility.

NON-PROFIT HOUSING - Housing which is or is intended to be offered primarily to persons or families of low income on a leasehold or co-operative basis and which is owned or operated by:

A. A non-profit corporation, being a corporation, no part of the income of which is payable to or otherwise available for the personal benefit of a member or shareholder thereof;

B. A non-profit housing co-operative having the same meaning as in the Co-operative Corporations Act.

NON-RESIDENTIAL - Land, buildings or structures or portions thereof used, or designed or intended for a use other than for a residential use.

NON-RESIDENTIAL REPLACEMENT BUILDINGS OR STRUCTURES - A replacement building or structure which is to be constructed, erected or placed on land as a result of the destruction, by fire or act of God, of an original building or structure on the land, if the use of the new building remains the same and the building area of the new building or structure is to be no greater than that of the original building or structure.

PARKLAND ACQUISITION PRIORITY AREA - An area of the City that has been identified as a priority area for parkland acquisition and is subject to the application of the Alternative Parkland Dedication Rate, as provided for in the City's Official Plan and identified as:

A. An area shown on Maps 1a and A-1 through 11, inclusive, attached as Schedule A to this article at the end of this chapter;

B. An Employment Area identified on the City's Official Plan, Chapter 4, Land Use Plan Maps, that is converted through Official Plan amendment to include residential uses;

C. A Mixed Use Area identified on the City's Official Plan, Chapter 4, Land Use Plan Maps;

D. An Avenue, identified on the City's Official Plan, Chapter 2, Urban Structure Map.

RESIDENTIAL USE - Land, buildings or structures of any kind whatsoever or any portion thereof, used, designed or intended to be used as living accommodation, and:

A. Includes:

(1) Accessory uses naturally and normally incidental in purpose to the residential use;

(2) Accessory uses exclusively devoted to the residential use; and

(3) A unit designed for combined live/work uses;

B. Does not include a hotel or similar building or structure providing temporary accommodation.

TRANSIT-ORIENTED COMMUNITY LAND - Lands designated as such under the Transit-Oriented Communities Act, 2020, S.O. 2020, c. 18,

§ 415-22. Conveyance of land for parks purposes.

As a condition of development of land the owner of the land shall convey or cause to be conveyed to the City, land for park or other public recreational purposes in the following manner:

A. For residential uses, land equal to 5 percent of the land to be developed.

B. For non–residential uses, land equal to 2 percent of the land to be developed.

C. Where the development of a single parcel of land is proposed for both residential uses and non-residential uses, the respective rates set out in §§ 415-22A, 415-22B and 415-23 will be allocated proportionally according to the floor space of the respective uses.

§ 415-23. Alternative rate.

Despite § 415-22A, as a condition of development of land for residential use in a parkland acquisition priority area, the owner of the land shall convey or cause to be conveyed to the City, the greater of the amount set out in § 415-22A, or land at a rate of 0.4 hectares for each 300 dwelling units proposed provided that:

A. For sites less than one hectare in size, the parkland dedication will not exceed 10 percent of the development site, net of any conveyances for public road purposes.

B. For sites one hectare to five hectares in size, the parkland dedication will not exceed 15 percent of the development site, net of any conveyances for public road purposes.

C. For sites greater than five hectares in size, the parkland dedication will not exceed 20 percent of the development site, net of any conveyances for public road purposes.

D. Despite §§ 415-23A, 415-23B, and 415-23C, for sites five hectares or less in area located on land designated as transit-oriented community land, the parkland dedication will not be less than 5 percent or exceed 10 percent of the development site.

E. Despite §§ 415-23A, 415-23B, and 415-23C, for sites greater than five hectares in area located on land designated as transit-oriented community land, the parkland dedication will not be less than 5 percent or exceed 15 percent of the development site.

§ 415-24. Cash-in-lieu of land dedication.

A. Despite § 415-22, where the size, shape or location of land proposed for parkland dedication is deemed by Council to be unsuitable for parks or public recreation purposes, Council may require payment of cash-in-lieu of land.

B. Despite § 415-23, where the size, shape or location of land proposed for parkland dedication in parkland acquisition priority area is deemed by Council to be unsuitable for parks or public recreation purposes, Council may require payment of cash-in-lieu of land, provided:

(1) that the value of the cash-in-lieu does not exceed:

(a) Ten percent of the value of the development site, net of any conveyances for public road purposes, for sites less than one hectare in size or, for land designated as transit-oriented community land, for sites five hectares or less in size.

(b) Fifteen percent of the value of the development site, net of any conveyances for public road purposes, for sites one hectare to five hectares in size or, for land designated as transit-oriented community land, for sites greater than five hectares in size.

(c) Twenty percent of the value of the development site, net of any conveyances for public road purposes, for sites over five hectares in size that are not on land designated transit-oriented community land.

(2) In no case, will the residential parkland dedication, cash-in-lieu or combination thereof, be less than 5 percent of the development site or the value of the development site, net of any conveyances for public road purposes.

§ 415-25. Cash-in-lieu; allocation.

A. Any payment of cash-in-lieu of land in accordance with § 415-24 will be used for the acquisition of new parkland or the improvement of parks and recreational facilities in accordance with the following allocation and the cash-in-lieu allocation policy:

(1) 50 percent for the acquisition of lands for parks and recreation purposes, further divided as follows:

(a) 50 percent to acquire parkland within the district where the funds were generated; and

(b) 50 percent to acquire parkland throughout the City.

(2) 50 percent for the development of parks and recreation facilities, further divided as follows:

(a) 50 percent to develop and upgrade parks and recreation facilities within the district where the funds were generated; and

(b) 50 percent to develop and upgrade parks and recreation facilities throughout the City.

B. Despite § 415-25A, Community Councils may recommend to City Council, through the Budget Committee, the allocation of expenditures of up to 100 percent of the district portion of parks and recreation facility development funds allocated under § 415-25A(2)(a) for the acquisition of parkland within the district where the funds were generated under § 415-22A(1)(a).

C. Any payment of cash-in-lieu of land to be conveyed through the alternative rate provision in accordance with § 415-24B in excess of 5 percent of the site area will be used to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development.

§ 415-26. Parkland conveyance; conditions.

A. The location and configuration of land required to be conveyed shall be in the discretion of the City.

B. All conveyances shall be free and clear of all liens and encumbrances.

(1) Despite § 415-26B, encumbered land shall be deemed to count toward the parkland requirement if the encumbered land is designated as transit-oriented community land and is identified as encumbered by way of an order by the Minister of Infrastructure as per Section 42 (4.27) of the Planning Act.

C. Where on-site parkland dedication is not feasible, an off-site parkland dedication that is accessible to the area where the development site is located may be substituted for an on-site dedication, provided that:

(1) The off-site dedication is a good physical substitute for any on-site dedication;

(2) The value of the off-site dedication is equal to the value of the on-site dedication that would otherwise be required; and

(3) Both the City and the applicant agree to the substitution.

D. Land to be conveyed shall be in conformity with Council policies and guidelines for parkland.

E. Environmental lands will not be considered a conveyance for parks or other recreational purposes for the purposes § 415-22 and § 415-23.

§ 415-27. Administrative authority.

The General Manager Parks, Forestry and Recreation is authorized to determine the specific combination of land and/or cash in lieu of land on a site specific basis in accordance with this article and the City's Official Plan policies.

§ 415-28. Timing of conveyance or payment.

The conveyance of land or payments required to be made under this article shall be made prior to the issuance of the first above-ground building permit for the land to be developed.

§ 415-29. Valuation of land.

A. All appraisals of land value shall be carried out under the direction of the Executive Director, Facilities and Real Estate and shall be determined in accordance with generally accepted appraisal principles.

B. The cost of any appraisal undertaken by the City shall be paid for by the owner.

C. The value of the land shall be determined as of the day before the day of issuance of the first building permit in respect of the development.

D. The conveyance of land or payment of cash in lieu of land shall be taken into consideration in determining an appropriate credit with respect to the amount of money or land which may be required in connection with the further development of the subject lands:

(1) Where land has been conveyed to the City for park or other public recreational purposes, exclusive of highways and floodplain lands;

(2) Where a payment of cash in lieu of such conveyance has been received by the City in accordance with this article;

(3) Pursuant to the provisions of sections 42, 51.1 or 53 of the Planning Act.

§ 415-30. Exemptions.

A. This article does not apply to the following types of development:

(1) Non-profit housing;

(2) Replacement of an existing dwelling unit on an existing lot;

(3) Enlargement of an existing dwelling unit on an existing lot, including a detached garage;

(4) Creation of 1 additional dwelling unit in an existing residential building or the creation of 1 Laneway Suite on a lot, or the creation of 1 Garden Suite on a lot,

which exemption for greater clarity, shall be given once, for the creation of only one additional dwelling unit on the lot;

(5) Long Term Care homes;

(6) Non-residential replacement buildings or structures;

(7) An addition of 200 square metres or less to an existing non-residential building;

(8) Industrial Uses;

(9) Buildings or structures owned by and used for the purposes of:

(a) The Government of Canada;

(b) The Province of Ontario;

(c) The City of Toronto;

(d) Toronto Hydro Corporation.

(10) Buildings or structures owned by and used for the purposes of:

(a) a public school as set out in the Education Act;

(b) a public university receiving regular and ongoing government operating funds for the purposes of providing post-secondary education; and

(c) a public college established in accordance with the Ontario Colleges of Applied Arts and Technology Act, 2002.

(11) Public Hospitals receiving and using aid under the Public Hospitals Act for the purposes set out in that Act;

(12) Municipal child care centres and non-profit child care providers on Toronto District School Board, Toronto Catholic District School Board, or municipal lands;

(13) Temporary uses pursuant to Section 39 of the Planning Act;

(14) Affordable rental housing units secured under a Municipal Housing Project Facility Agreement;

(15) Housing Now Development projects; and

(16) The residential component of a building with no more than four dwelling units.

B. This article does not apply to the geographic areas described in Schedule B to this article attached at the end of this chapter.

§ 415-31. Transition.

A. The alternative rate provisions of this article shall not apply in respect of the development of any land where a building permit application that complies with applicable zoning with respect to the land was received prior to January 1, 2008, in which case the alternative parkland dedication rate as set out in the parkland dedication by-laws of the predecessor municipalities in force at that time shall apply with respect to that development.

B. Despite § 415-22, where there is a site or area specific by-law, a section 37 agreement, or other site specific agreement or exemption legally in effect on May 3, 2011, that provides for an exemption or for the conveyance of land for park or other recreational purposes or cash in lieu thereof at a different rate than the rate set out in § 415-22, the rate or exemption set out in that by-law, or agreement shall prevail over the rates set out in § 415-22, unless:

(1) there is a change in the proposed development that would increase the density of the development; or

(2) land originally proposed for development for an exempted use or for commercial or industrial purposes is now proposed for development for other purposes.

C. This article does not apply to any previously authorized agreements that provide for use of an alternative parkland dedication rate legally in effect at the time of adoption of the City's Official Plan.

D. Despite § 415-23, where a secondary plan or a site or area specific policy legally in effect on January 1, 2008, provides for a different alternative rate than that set out in § 415-23 or for an exemption, the alternative rate or the exemption set out in the secondary plan or the site or area specific policy shall prevail over the alternative rates set out in § 415-23.

E. Despite Subsection D, the alternative rates set out in § 415-23 shall prevail over the alternative rate legally in effect on January 1, 2008 for the North York Centre Secondary Plan.

F. Despite Subsections D and E, the alternative rates set out in §§ 415-23D and 415-23E regarding designated transit-oriented community land shall prevail over any alternative rates contained in the Official Plan including its constituent Secondary Plans.

§ 415-31.1 Conflict.

In the event of a conflict between the provisions of this article and any by-laws of the former municipalities respecting the conveyance of land for parks purposes as a condition of development, the provisions of this article shall prevail to the extent of the conflict.

§ 415-31.2 Repeals.

The following by-laws are repealed effective May 3, 2011:

A. Chapter 302 (By-law 1988-193) and Chapter 303 (By-law 1993-23) of the former City of Etobicoke Municipal Code.

B. By-law 30152 of the former City of North York.

C. By-laws 20512 and 22660, of the former City of Scarborough.

D. Chapter 165, Article 1, of the former City of Toronto Municipal Code.

E. Chapter 445 (By-law 13-83) of the former City of York Municipal Code.

ARTICLE IV
Conveyance of Land for Parks Purposes as a Condition of Development - Former City of North York

[Adopted 2022-08-15 by By-law 1144-2022[11]]

§ 415-32. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUILDING PERMIT APPLICATION - An application for an above grade building permit that substantially complies with all technical requirements of the Building Code Act, 1992, including payment of applicable fees.

DEVELOPMENT:

A. The construction, erection or placing of one or more buildings or structures on land;

B. The making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability of the building or structure; and

C. The redevelopment of land through the removal of one or more buildings or structures to permit such development.

NON-PROFIT HOUSING - Housing which is or is intended to be offered primarily to persons or families of low income on a leasehold or co-operative basis and which is owned or operated by:

A. A non-profit corporation, being a corporation, no part of the income of which is payable to or otherwise available for the personal benefit of a member or shareholder thereof; and

B. A non-profit housing co-operative having the same meaning as in the Co-operative Corporations Act.

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[11] **Editor's Note: This by-law was passed under the authority of section 42 of the Planning Act, R.S.O. 1990, c. P.13. and came into force on August 15, 2022. By-law 1144-2022 also repealed former Article IV, Conveyance of Land for Parks Purposes as a Condition of Development - Former City of North York, adopted by By-law 812-2008.**

PARKLAND ACQUISITION PRIORITY AREA - An area of the former City of North York, within the boundaries of the North York Community Council, excluding Wards 7 and 12, as they existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00, that has been identified as a priority area for parkland acquisition and is subject to the application of the Alternative Parkland Dedication Rate, as provided for in the former City of North York's Official Plan and identified as:

A. An area shown on Maps 1a and A-1, A-2, A-4, A-5, A-6, A-7, A-8 and A-9 attached as Schedule A to Article III at the end of this chapter;

B. An Employment Area identified on the City's Official Plan, Chapter 4, Land Use Plan Maps, that is converted through Official Plan amendment to include residential uses;

C. A Mixed Use Area identified on the City's Official Plan, Chapter 4, Land Use Plan Maps; and

D. An Avenue, identified on the City's Official Plan, Chapter 2, Urban Structure Map.

REPLACEMENT BUILDINGS OR STRUCTURES - A replacement building or structure which is to be constructed, erected or placed on land as a result of the destruction, by fire or act of God, of an original building or structure on the land, if the use of the new building remains the same and the building area of the new building or structure is to be no greater than that of the original building or structure.

RESIDENTIAL PURPOSES - The residential component of development of land in a parkland acquisition priority area.

TRANSIT-ORIENTED COMMUNITY LAND - Lands designated as such under the Transit-Oriented Communities Act, 2020, S.O. 2020, c. 18.

§ 415-33. Conveyance of land for parks purposes; alternative rate.

A. As a condition of development of land for residential purposes in respect to those properties located in a parkland acquisition priority area and identified in Schedule A to this article attached at the end of this chapter, the owner of the land shall convey or cause to be conveyed to the City the greater of:

(1) Land equal to 5 percent of the land to be developed; or

(2) Land at a rate of 0.4 hectares for each 300 dwelling units proposed provided that:

(a) For sites less than one hectare in size, the parkland dedication will not exceed 10 percent of the development site, net of any conveyances for public road purposes.

(b) For sites one hectare to five hectares in size, the parkland dedication will not exceed 15 percent of the development site, net of any conveyances for public road purposes.

(c) For sites greater than five hectares in size, the parkland dedication will not exceed 20 percent of the development site, net of any conveyances for public road purposes.

(3) Despite § 415-33(2) for sites five hectares or less in area located on land designated as transit-oriented community land, the parkland dedication will not be less than 5 percent or exceed 10 percent of the development site.

(4) Despite § 415-33(2), for sites greater than five hectares in area located on land designated as transit-oriented community land, the parkland dedication will not be less than 5 percent or exceed 15 percent of the development site.

B. Where a secondary plan or a site or area specific policy contained in the former City of North York Official Plan and in effect on the date of passage of this article provides for a different alternative rate or an exemption, the alternative rate or the exemption set out in that secondary plan or the site or area specific policy shall prevail over the alternative rates set out in § 415-33A but for § 415-33A(3) and § 415-33A(4) regarding designated transit-oriented community land.

C. Despite § 415-33A and B, where any of the properties listed in Schedule A become subject to the City of Toronto Official Plan by virtue of a decision or order of the Ontario Land Tribunal, such properties shall cease to be subject to this article and shall be subject to Article III of this chapter.

§ 415-34. Parkland conveyance; conditions.

A. The location and configuration of land required to be conveyed shall be in the discretion of the City.

B. All conveyances shall be free and clear of all liens and encumbrances.

(1) Despite § 415-34B, encumbered land shall be deemed to count toward the parkland requirement if the encumbered land is designated as transit-oriented community land and is identified as encumbered by way of an order by the Minister of Infrastructure as per Section 42 (4.27) of the Planning Act.

C. Where on-site parkland dedication is not feasible, an off-site parkland dedication that is accessible to the area where the development site is located may be substituted for an onsite dedication, provided that:

(1) The off-site dedication is a good physical substitute for any on-site dedication;

(2) The value of the off-site dedication is equal to the value of the on-site dedication that would otherwise be required; and

(3) Both the City and the applicant agree to the substitution.

D. Land to be conveyed shall be in conformity with Council policies and guidelines for parkland.

§ 415-35. Cash-in-lieu of land dedication.

A. Despite § 415-33, where the size, shape or location of land proposed for parkland dedication is deemed by Council to be unsuitable for parks or public recreation purposes, Council may require payment of cash in lieu of land provided that the value of the cash-in-lieu does not exceed:

(1) Ten percent of the value of the development site, net of any conveyances for public road purposes, for sites less than one hectare in size or, for land designated as transit-oriented community land, for sites five hectares or less in size.

(2) Fifteen percent of the value of the development site, net of any conveyances for public road purposes, for sites one hectare to five hectares in size or, for land designated as transit-oriented community land, for sites greater than five hectares in size.

(3) Twenty percent of the value of the development site, net of any conveyances for public road purposes, for sites over five hectares in size that are not on land designated transit-oriented community land.

B. In no case, will the parkland dedication, cash-in-lieu or combination thereof, be less than 5 percent of the development site or the value of the development site, net of any conveyances for public road purposes.

C. Any payment of cash-in-lieu of land to be conveyed through the alternative rate provision in excess of 5 percent of the site area will be used to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development.

§ 415-36. Delegation of authority.

The General Manager Parks, Forestry and Recreation is authorized to determine the specific combination of land and/or cash in lieu of land on a site specific basis in accordance with this article and the Official Plan policies of the former City of North York.

§ 415-37. Timing of conveyance or payment.

The conveyance of land or payments required to be made under this article shall be made prior to the issuance of the first above-ground building permit for the land to be developed.

§ 415-38. Mixed use.

Where a parcel of land is proposed for residential and non-residential development, the respective rates shall be applied to the total land area of the parcel in the same proportion as the gross floor area of the residential use is to the gross floor area of the non-residential use.

§ 415-39. Valuation of land.

A. All appraisals of land value shall be carried out under the direction of the Executive Director, Facilities and Real Estate and shall be determined in accordance with generally accepted appraisal principles.

B. The cost of any appraisal undertaken by the City shall be paid for by the owner.

C. The value of the land shall be determined as of the day before the day of issuance of the first building permit in respect of the development.

D. The conveyance of land or payment of cash in lieu of land shall be taken into consideration in determining an appropriate credit with respect to the amount of money or land which may be required in connection with the further development of the subject lands:

(1) Where land and has been conveyed to the City for park or other public recreational purposes, exclusive of highways and floodplain lands;

(2) Where a payment of cash in lieu of such conveyance has been received by the City in accordance with this article; and

(3) Pursuant to the provisions of sections 42, 51.1 or 53 of the Planning Act.

§ 415-40. Exemptions.

This article does not apply to the following types of development:

A. Non-profit housing;

B. Replacement buildings or structures; and

C. Single detached and semi-detached replacement dwellings.

§ 415-41. Transition.

The provisions of this article shall not apply in respect of the development of any land where a building permit application that complies with applicable zoning with respect to the land was received prior to the date of enactment of this article.

ARTICLE V
Site Plan Control

[Adopted 2012-06-08 by By-law 774-2012[12]; amended 2023-10-12 by By-law 966-2023[13]]

§ 415-42. Definitions.

A. Terms used in this article have the same meaning as corresponding terms used in the applicable zoning by-laws in effect for the lands.

B. As used in this Article, the following terms shall have the meanings as indicated:

(1) ACT - City of Toronto Act, 2006, S. O. 2006, c. 11, Schedule A., as amended.

(2) APPLICABLE ZONING BY-LAWS - means the former general zoning by-laws and Zoning By-law 569-2013, whichever are in effect for the lands.

(3) CHIEF PLANNER - The City's Chief Planner and Executive Director, City Planning Division or their designate.

(4) FORMER GENERAL ZONING BY-LAWS - shall have the same meaning as set out in Article 1.5.6 and Section 800.50(260) of Zoning By law 569-2013.

(5) PLANNING ACT - Planning Act, R.S.O. 1990, c. P. 13., as amended.

(6) RAILWAY LINE - excludes the following:

(a) a railway line to which the Canada Transportation Act, S.C. 1996, c.10 (Canada) applies and whose operations have been discontinued under section 146 of the Canada Transportation Act, S.C. 1996, c.10 (Canada);

(b) an abandoned railway line to which the Canada Transportation Act, S.C. 1996, c.10 (Canada) does not apply; and

(c) a railway line on which the only railway that operates is an urban rail transit system.

(7) TIER 1 OF TORONTO GREEN STANDARD - shall mean the Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council, applicable at the time of a complete Site Plan Control Application is made to the City for each building of the development on the lands.

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[12] **Editor's Note: This by-law was passed under the authority of subsection 114(17) of the City of Toronto Act, 2006.**

[13] **Editors Note: Article V, Site Plan Control, was replaced in its entirety by Section 1 of By-law 966-2023. Section 1 of By-law 966-2023 does not apply in respect of any development for which a building permit, excluding permits for demolition, shoring and excavation, has been issued on or before October 12, 2023 and Article V, Site Plan Control, as it read before Section 1 of By-law 966-2023 came into force shall continue to apply.**

(8) WIDENING REQUIREMENT - shall mean a right-of-way widening required by the Official Plan in one of more the following situations as applicable:

(a) along a major street on Map 3 of the Official Plan for any development;

(b) as an expansion of an existing laneway adjacent to a proposed mixed-use building or non-residential building;

(c) along an existing right-of-way identified in Schedule 1 of the Official Plan adjacent to a proposed mixed-use building or non-residential building; or

(d) acquiring lands beyond the right-of-way widths shown on Map 3 and Schedule 1 of the Official Plan to accommodate necessary features such as embankments, grade separations, additional pavement or sidewalk widths at intersections, transit and cycling facilities, transit priority measures or to provide for necessary improvements in safety, accessibility or visibility in certain locations adjacent to a proposed mixed-use building or non-residential building.

(9) ZONING BY-LAW 569-2013 - City-wide Zoning By-law 569-2013, as amended, enacted pursuant to Section 34 of the Planning Act.

§ 415-43. Area of site plan control.

A. All land within the City of Toronto boundaries is designated as a site plan control area.

§ 415-44. Development subject to site plan control.

A. The approval of plans and drawings shall be required in accordance with Subsection 114(5) of the Act for development as defined in accordance with Subsection 114(1) of the Act, unless identified in this Article as a class of development that may be undertaken without the approval of plans and drawings otherwise required.

§ 415-45.1. New Buildings: Classes of development exempted from the approval of plans and drawings otherwise required.

A. The following new residential building(s) are exempt from the approval of plans and drawings:

(1) A residential building that contains 10 dwelling units or less.

(2) A residential building of 4 storeys or less, provided that one or more of the following apply:

(a) there is only one residential building of 4 storeys or less proposed and no other buildings are proposed, under construction or existing on the lands, excluding any existing or proposed ancillary building associated with the residential building;

(b) the proposed residential building is not part of a larger residential development or mixed-use development, or a phase thereof;

(c) there is no adjacent building or development which would utilize, rely on, or integrate the proposed residential building, in whole or in part; and

(d) the proposed residential building would not exceed a total of 2,000 square metres in gross floor area.

(3) A laneway suite.

(4) A garden suite.

(5) A boarding or lodging house, converted dwelling and rooming house, rooming house, rooming and/or boarding house, or boarding house as permitted under the applicable zoning by-laws and as licensed under former City of Toronto Municipal Code Chapter 285, Rooming Houses, or former City of Etobicoke Chapter 166, Lodging Houses.

(6) An ancillary building associated with a residential building contemplated in Subsections A(1) or (2) above.

B. The following new mixed-use building(s) are exempt from the approval of plans and drawings:

(1) A mixed-use building that:

(a) contains:

[1] 10 dwelling units or less;

[2] a boarding or lodging house, converted dwelling and rooming house, rooming house, rooming and/or boarding house, or boarding house as permitted under the applicable zoning by-laws and as licensed under Chapter 285 of the former City of Toronto Municipal Code or former City of Etobicoke Chapter 166, Lodging Houses; or

[3] any combination of Subsection B(1)(a)[1] and [2], above;

(b) contains non-residential uses at grade;

(c) does not exceed an overall building height of 6 storeys;

(d) does not include a drive through facility, entertainment place of assembly, medical office, place of assembly or place of worship; and

(e) does not include a permitted non-residential use with conditions under Zoning By-law 569-2013, if the lands are subject to Zoning By-law 569-2013, except for a retail store.

(2) An ancillary building associated with a mixed-use building contemplated in Subsection B(1) above.

C. The following new non-residential building(s) are exempt from the approval of plans and drawings:

(1) An industrial, manufacturing or warehouse building, provided:

(a) the proposed building does not include an asphalt plant, cement plant, concrete batching plant, recovery facility, recycling facility, salvage yard, or waste transfer station;

(b) the proposed building does not include a permitted use with conditions under Zoning By-law 569-2013, if the lands are subject to Zoning By-law 569-2013; and

(c) all existing or proposed industrial, manufacturing or warehouse building(s) on the lands would not exceed a total of 2,000 square metres in gross floor area or the permitted maximum gross floor area as set out in the applicable zoning by-laws, whichever is greater.

(2) An ancillary non-residential building associated with a non-residential building provided the ancillary non-residential building is less than 100 square metres in gross floor area.

(3) A temporary sales office or model home associated with a new building or building addition that will be constructed on the same property.

(4) A new non-residential building on City-owned land designated Parks and Other Open Spaces in the Official Plan, provided that the new non-residential building is less than 100 square metres.

§ 415-45.2. Additions to Existing Buildings: Classes of development exempted from the approval of plans and drawings otherwise required.

A. An addition attached to the following existing residential building(s) is exempt from the approval of plans and drawings:

(1) An existing residential building that contains less than 10 dwelling units and, with the addition, would contain a total of 10 dwelling units or less.

(2) An existing residential building of 4 storeys or less, where:

(a) the existing residential building, with the addition, would not exceed 4 storeys in overall height;

(b) the existing residential building is the only building on the lands and no other buildings are proposed, under construction or existing on the lands, excluding any existing or proposed ancillary building associated with the residential building;

(c) there is no adjacent building or development which in any way utilizes, relies on, or integrates the residential building, in whole or in part; and

(d) the existing residential building, with the addition, would not exceed a total of 2,000 square metres in gross floor area.

(3) An existing residential building that, with the addition, will contain:

(a) a total of 10 dwelling units or less;

(b) a boarding or lodging house, converted dwelling and rooming house, rooming house, rooming and/or boarding house, or boarding house as permitted under the applicable zoning by-laws and as licensed under Chapter 285 of the former City of Toronto Municipal Code or former City of Etobicoke Chapter 166, Lodging Houses; or

(c) any combination of Subsection A(3)(a) and (b), above.

B. An addition attached to the following existing mixed-use building(s) is exempt from the approval of plans and drawings:

(1) An existing mixed-use building that:

(a) with the addition, will contain:

[1] a total of 10 dwelling units or less;

[2] a boarding or lodging house, converted dwelling and rooming house, rooming house, rooming and/or boarding house, or boarding house as permitted under the applicable zoning by-laws and as licensed under former City of Toronto Municipal Code Chapter 285, Rooming Houses, or former City of Etobicoke Chapter 166, Lodging Houses; or

[3] any combination of Subsection B(1)(a)[1] and [2], above;

(b) with the addition, contains non-residential uses at grade;

(c) with the addition, will not exceed 6 storeys in height;

(d) with or without the addition does not include a drive through facility, entertainment place of assembly, medical office, place of assembly or place of worship; and

(e) with or without the addition does not include a permitted non-residential use with conditions under Zoning By-law 569-2013, if the lands are subject to Zoning By-law 569-2013, except for a retail store.

C. An addition attached to the following existing non-residential building(s) is exempt from the approval of plans and drawings:

(1) An existing commercial, institutional, office, or other non-residential building, except for an industrial, manufacturing or warehouse building, provided the addition:

(a) does not include a drive through facility, entertainment place of assembly, medical office, place of assembly or place of worship;

(b) does not include a permitted use with conditions under Zoning By law 569-2013, if the lands are subject to Zoning By-law 569 2013;

(c) is not located in the existing front yard or in the existing side yard abutting a public street on a corner lot; and

(d) is less than 600 square metres in gross floor area.

(2) An existing industrial, manufacturing or warehouse building provided that the addition:

(a) does not include, or is not associated with, an asphalt plant, cement plant, concrete batching plant, recovery facility, recycling facility, salvage yard, or waste transfer station;

(b) does not include a permitted use with conditions under Zoning By law 569-2013, if the lands are subject to City-wide Zoning By law 569-2013; and

(c) will not exceed the greater of:

[1] 25 percent of the total gross floor area of all existing industrial, manufacturing or warehouse building(s) on the lands; and

[2] 1,000 square metres in addition to the total gross floor area of all existing industrial, manufacturing or warehouse building(s) on the lands;

(3) An addition to an existing non-residential building on City-owned land designated Parks and Other Open Spaces in the Official Plan, provided that the addition is less than 100 square metres.

§ 415-45.3. Interior Alterations and Use Conversions: Classes of development exempted from the approval of plans and drawings otherwise required.

A. The following interior alterations to, or conversions of, an existing building, where permitted by the applicable zoning by-laws are exempt from the approval of plans and drawings:

(1) The construction of new dwelling units provided that after the interior alteration or conversion, there will not be more than a total of 10 dwelling units in the existing building.

(2) The interior alteration or conversion that will create dwelling rooms in a boarding or lodging house, converted dwelling and rooming house, rooming house, rooming and/or boarding house, or boarding house as permitted under the applicable zoning by-laws and as licensed under former City of Toronto Municipal Code Chapter 285, Rooming Houses, or former City of Etobicoke Chapter 166, Lodging Houses.

(3) The interior alteration or conversion of part of a residential building to only the following non-residential uses:

(a) a day nursey, community centre, recreation use; or

(b) a temporary sales office or model home, associated with a new building or building addition that will be constructed on the same lands.

B. Interior alterations to an existing building to convert all or part of an existing use to a new use permitted by the applicable zoning by-laws are exempt from the approval of plans and drawings provided that:

(1) The gross floor area of the portion of the building being altered does not exceed 1,000 square metres in gross floor area of the existing building; and

(2) Where applicable, the interior alteration consists of a conversion from an existing industrial, manufacturing or warehouse use to a different industrial, manufacturing or warehouse use, and the interior alteration:

(a) does not include, or is not associated with, an asphalt plant, cement plant, concrete batching plant, recovery facility, recycling facility, salvage yard, or waste transfer station; and

(b) does not include a permitted use with conditions, if the lands are subject to Zoning By-law 569-2013.

C. Despite Subsections A or B, the interior alteration or conversion will not be exempt from the approval of plans and drawings, if it additionally includes a drive through facility, an entertainment place of assembly, place of assembly, place of worship or transportation use.

§ 415-45.4. Replacement, Reconstruction or Compliance: Classes of development exempted from the approval of plans and drawings otherwise required.

A. Where a building or structure, or part of a building or structure, is being replaced or reconstructed as a result of its having been destroyed or damaged by fire, explosion, flood or other similar cause, or in response to an order issued by the City, the replacement or reconstruction is exempt from the approval of plans and drawings, provided that:

(1) The gross floor area and height of the reconstructed building or structure are no greater than the gross floor area and height of the original building or structure;

(2) No setback or separation distance between main walls of a building or structure is reduced; and

(3) The use of the land is not changed.

§ 415-45.5. Exceptions to Section 415-45.1 to 415-45.3: Classes of development exempted from the approval of plans and drawings otherwise required.

A. Despite §§ 415-45.1, 415-45.2 and 415-45.3, the approval of plans and drawing shall be required under Subsection 114(5) of the Act where:

(1) There is a Widening Requirement.

(2) In the opinion of the Chief Building Official, in consultation with the Chief Planner, a development may benefit from one or more of the following, without limitation:

(a) Sustainable design features that address exterior building and site matters in Tier 1 of the Toronto Green Standard, including landscaping, on the land or on the City's adjoining highway;

(b) Matters pertaining to the protection of adjoining lands, health, safety, or accessibility; or

(c) Access to and from the building entrances, including the provision of municipal sidewalks and walkways.

(3) The matters addressed in Subsection A(1) or (2) above have not been addressed and/or secured by way of a condition to the approval of a variance under section 45 of the Planning Act or a consent to sever under section 53 of the Planning Act and where such approval is final and binding.

B. Subsection A does not apply to a residential building that contains 10 dwelling units or less as exempted from the approval of plans and drawings under §§ 415-45.1, 415-45.2 and 415-45.3, unless Subsection C applies.

C. Despite §§ 415-45.1, 415-45.2 and 415-45.3, the approval of plans and drawings may be required in accordance with Subsection 114(5) of the Act where in the opinion of Chief

Building Official, in consultation with the Chief Planner, the development, in whole or in part, falls within:

(1) Any area that is within 300 metres of a railway line.

(2) Any area that is within 120 metres of:

(a) a wetland;

(b) the shoreline of the Great Lakes-St. Lawrence River System;

(c) an inland lake; or

(d) a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.

D. Where Subsection A applies, the Chief Planner will:

(1) Minimize the requirements for completeness of the planning application for site plan control approval to those requirements necessary to facilitate one or more of the matters specified in Subsection A; and

(2) Require the prescribed fee pursuant to Chapter 441, Fees and Charges, be paid to the City.

§ 415-46. Offence and penalties.

A. Every person who contravenes a provision of this chapter is guilty of an offence, and if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence, and on conviction is liable:

(1) On a first conviction to a fine of not more than $25,000; and

(2) On a subsequent conviction to a fine of not more than $10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

ARTICLE VI
Community Benefits Charges

[Added 2022-08-15 by By-law 1139-2022[14]]

§ 415-47. Definitions.

As used in this Article the following terms shall have the meaning indicated:

BASEMENT - the portion of a building between the first floor and any floor below the level of the first floor.

BUILDING CODE ACT - the Building Code Act, 1992, S.O. 1992, c.23, as amended.

BUILDING PERMIT - A permit issued pursuant to the Building Code Act that permits the construction, alteration or change in use of a building or structure which is described in its respective building permit application.

BUILDING PERMIT APPLICATION - An application submitted to and accepted by the Chief Building Official for a building permit which complies with the applicable zoning by-law and with all technical requirement of the Building Code Act and includes payment of all applicable fees.

CHIEF BUILDING OFFICIAL - A chief building official for the City of Toronto appointed or constituted under section 3 of the Building Code Act or their designate.

CITY OF TORONTO ACT, 2006 - the City of Toronto Act, 2006, S.O. 2006, C.11, as amended.

COMMUNITY BENEFIT STRATEGY - the community benefit strategy prepared pursuant to subsection 37(9) of the Planning Act.

CONDOMINIUM ACT - the Condominium Act, 1998, S.O. 1998, c.19 as amended.

DEVELOPMENT OR REDEVELOPMENT – Any activity or proposed activity in respect of any land, building or structure that requires:

A. the passing of a zoning by-law or of an amendment to a zoning by-law;

B. the approval of a minor variance;

C. a conveyance of land to which a part lot control exemption by-law applies;

D. the approval of a plan of subdivision;

[14] **Editor's Note: This by-law was passed under the authority of section 37 of the Planning Act, R.S.O. 1990, c. P.13. and came into force on August 15, 2022.**

E. a consent to sever;

F. the approval of a description of a plan of condominium pursuant to the Condominium Act; or

G. the issuing of a permit under the Building Code Act, 1992 in relation to a building or structure.

EXECUTIVE DIRECTOR, CORPORATE AND REAL ESTATE MANAGEMENT - the Executive Director, Corporate and Real Estate Management for the City of Toronto or their designate.

GROSS FLOOR AREA - the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level.

HOUSING NOW DEVELOPMENT - development of affordable and market rental housing on City-owned lands under a long term lease and related development of ownership homes, if any, on City-owned lands sold to a developer, provided all such development occurs as part of the Housing Now Initiative.

HOUSING NOW INITIATIVE - the initiative originally approved by Council through the adoption of Item CC1.3 on December 4, 5 and 13, 2018 and Item EX1.1 adopted January 20 and 31, 2019 to increase the supply of affordable housing by leveraging the value of underutilized City-owned lands.

IN-KIND CONTRIBUTION - facilities, services or matters identified in a Community Benefits Strategy and required because of development or redevelopment provided by an owner of land, in lieu of payment of the community benefits charge otherwise applicable, in whole or in part.

MUNICIPAL HOUSING PROJECT FACILITY - means the class of municipal capital facilities prescribed by paragraph 18 of section 2 of Ontario Regulation 598/06, and as further defined in the City's Municipal Housing Facility By-law 183-2022, as such by-law may be amended or replaced from time to time.

MUNICIPAL HOUSING PROJECT FACILITY AGREEMENT - an agreement entered into pursuant to section 252 of the City of Toronto Act for the provision of a Municipal Housing Project Facility.

PHASE - part or parts of a larger development that are not being built concurrently and for which multiple building permit applications will be submitted.

PLANNING ACT - the Planning Act, R.S.O. 1990, c. P.13.

RESIDENTIAL UNIT - a unit that:

A. consists of a self-contained set of rooms located in a building or structure,

B. is used or intended for use as residential premises, and

C. contains kitchen and bathroom facilities that are intended for the use of the unit only.

STOREY - a level of a building, other than a basement, located between any floor and the floor, ceiling or roof immediately above it.

VALUE OF THE LAND - for the purposes of determining the community benefit charge payable, appraisals of land value at first building permit issuance shall be carried out under the direction of the Executive Director, Corporate and Real Estate Management and shall be determined in accordance with generally accepted appraisal principles.

§ 415-48. Community Benefits Charges.

A. A community benefit charge shall be payable for the capital costs of facilities, services and matters required for development and redevelopment of all lands in the geographic area of the City of Toronto.

B. The community benefit charge shall be imposed on all development or redevelopment of a building or structure with five or more storeys and that adds ten or more Residential Units.

C. The amount of the community benefit charge payable is 4 percent of the value of the land that is the subject of the development or redevelopment on the day before the day the first building permit is issued in respect of the development or redevelopment.

D. The community benefit charge is payable prior to the issuance of the first building permit issued for the development or redevelopment.

E. If a development or redevelopment is to be constructed in phases each Phase of the development is deemed to be a separate development or redevelopment for the purposes of this Article and the amount of the community benefit charge for each Phase will be 4 percent of the value of the land attributable to that Phase on the day before the first building permit for development or redevelopment of that Phase is issued.

§ 415-49. Exemptions.

A. The value of the gross floor area for the following uses shall be excluded from the value of the land used to determine the community benefit charge payable:

(1) uses set out in Section 1 of Ontario Regulation 509/20 to the Planning Act;

(2) any affordable housing unit that is the subject of a Municipal Housing Project Facility Agreement;

(3) any rental unit as defined in and required to be replaced pursuant to City of Toronto Municipal Code Chapter 667, Residential Rental Property Demolition and Conversion Control, as such by-law may be amended or replaced from time to time;

(4) any existing Residential Unit that is not demolished on the land that is the subject of the development or redevelopment; and

(5) any existing non-residential use that is not demolished or converted to residential uses on the land that is the subject of the development or redevelopment.

B. Despite § 415-48 B of this Article, a community benefit charge shall not be payable for the following exempted types of development or use:

(1) development or redevelopment that is a Housing Now Development; and

(2) development or redevelopment comprising less than 10,000 square metres of residential gross floor area and for which an application for an amendment to a by-law under section 34 of the Planning Act or an application for site plan approval under section 114 of the City of Toronto Act, 2006 was received and deemed complete, in accordance with the requirements of the Planning Act and City of Toronto Official Plan Policy 5.5.2, prior to the passing of this Article.

C. The onus is on the owner or applicant to produce evidence to the satisfaction of the City establishing that the owner or applicant is entitled to an exclusion or exemption under the provisions of this Article or Regulation 509/20 to the Planning Act.

§ 415-50. In-kind contributions.

A. In the event that City Council has allowed an owner of land to provide an in-kind contribution in-lieu of payment of the community benefits charge otherwise payable and arrangements for its provision that are satisfactory to Council have been made, the community benefit charge otherwise payable for the development or redevelopment will be reduced by the value that the City has attributed to the in-kind contribution.

B. Any development or redevelopment or use that is excluded or exempted in this Article shall not be considered an in-kind contribution for the purposes of subsection 37 (8) of the Planning Act.

§ 415-51. Regular review of this Article.

A. Within five years after this Article is passed City Council shall ensure that a review of this Article is undertaken and shall pass a resolution declaring whether a revision to this Article is needed and thereafter shall further review and pass a resolution every five years after the previous resolution was passed.

Schedule A-1 to Article I:
Residential Development Charge Rates Effective - August 15, 2022

[Added 2022-08-15 by By-law 1137-2022[15]]

Service	Residential Charge By Unit Type						Percentage of Charge
	Singles and Semis	Multiples 2+ Bedrooms	Multiples 1 Bed and Bach.	Apartments 2+ Bedrooms	Apartments 1 Bed and Bach.	Dwelling Room	
Spadina Subway extension	$2,993	$2,474	$1,241	$1,752	$1,144	$811	3.2%
Transit (balance)	$33,651	$27,814	$13,954	$19,698	$12,857	$9,119	35.8%
Parks and Recreation	$12,437	$10,280	$5,157	$7,280	$4,752	$3,371	13.2%
Library	$2,135	$1,765	$885	$1,250	$816	$579	2.3%
Housing Services - Shelter	$1,098	$908	$455	$643	$420	$298	1.2%
Housing Services - Affordable Housing	$7,505	$6,203	$3,112	$4,393	$2,868	$2,034	8.0%
Police	$639	$528	$265	$374	$244	$173	0.7%
Fire	$239	$198	$99	$140	$91	$65	0.3%
Ambulance Services	$606	$501	$251	$355	$232	$164	0.6%
Development-related studies	$169	$140	$70	$99	$65	$46	0.2%
Long Term Care	$150	$124	$62	$88	$57	$41	0.2%
Child Care	$900	$744	$373	$527	$344	$244	1.0%
Waste Diversion	$60	$49	$25	$35	$23	$16	0.1%
Subtotal General Services	**$62,582**	**$51,728**	**$25,949**	**$36,634**	**$23,913**	**$16,961**	**66.6%**
Roads and Related	$15,711	$12,985	$6,515	$9,196	$6,003	$4,258	16.7%
Water	$3,763	$3,111	$1,561	$2,203	$1,438	$1,020	4.0%
Sanitary Sewer	$9,107	$7,528	$3,776	$5,331	$3,480	$2,468	9.7%
Storm Water Management	$2,815	$2,327	$1,167	$1,648	$1,076	$763	3.0%
Subtotal Engineered Services	**$31,396**	**$25,951**	**$13,019**	**$18,378**	**$11,997**	**$8,509**	**33.4%**
TOTAL CHARGE PER UNIT	**$93,978**	**$77,679**	**$38,968**	**$55,012**	**$35,910**	**$25,470**	**100.0%**

NOTE: The development charges described above shall be adjusted pursuant to Section 415-11 of this chapter.

[15] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022. By-law 1137-2022 also repealed By-law 515-2018, which deleted former Schedules A-1 to A-6, Art. I, Residential Development Charges Rates and added new Schedules A-1 to A-4, Residential Development Charge Rates.**

Schedule A-2 to Article I:
Residential Development Charge Rates Effective - May 1, 2023

[Added 2022-08-15 by By-law 1137-2022[16]]

Service	Residential Charge By Unit Type						Percentage of Charge
	Singles and Semis	Multiples 2+ Bedrooms	Multiples 1 Bed and Bach.	Apartments 2+ Bedrooms	Apartments 1 Bed and Bach.	Dwelling Room	
Spadina Subway extension	$3,309	$2,735	$1,372	$1,937	$1,264	$897	2.9%
Transit (balance)	$38,837	$32,100	$16,103	$22,734	$14,842	$10,526	33.6%
Parks and Recreation	$14,601	$12,069	$6,054	$8,547	$5,579	$3,957	12.6%
Library	$2,223	$1,837	$922	$1,301	$849	$602	1.9%
Housing Services - Shelter	$1,300	$1,075	$539	$761	$497	$352	1.1%
Housing Services - Affordable Housing	$14,468	$11,959	$5,999	$8,469	$5,529	$3,921	12.5%
Police	$639	$528	$265	$374	$244	$173	0.6%
Fire	$239	$198	$99	$140	$91	$65	0.2%
Ambulance Services	$741	$613	$307	$434	$283	$201	0.6%
Development-related studies	$169	$140	$70	$99	$65	$46	0.1%
Long Term Care	$1,066	$881	$442	$624	$407	$289	0.9%
Child Care	$948	$784	$393	$555	$362	$257	0.8%
Waste Diversion	$429	$354	$178	$251	$164	$116	0.4%
Subtotal General Services	**$78,969**	**$65,273**	**$32,743**	**$46,226**	**$30,176**	**$21,402**	**68.4%**
Roads and Related	$19,974	$16,509	$8,282	$11,692	$7,633	$5,413	17.3%
Water	$3,763	$3,111	$1,560	$2,203	$1,438	$1,020	3.3%
Sanitary Sewer	$9,186	$7,593	$3,809	$5,377	$3,510	$2,489	8.0%
Storm Water Management	$3,617	$2,989	$1,500	$2,117	$1,382	$980	3.1%
Subtotal Engineered Services	**$36,540**	**$30,202**	**$15,151**	**$21,389**	**$13,963**	**$9,902**	**31.6%**
TOTAL CHARGE PER UNIT	**$115,509**	**$95,475**	**$47,894**	**$67,615**	**$44,139**	**$31,304**	**100.0%**

NOTE: The development charges described above shall be adjusted pursuant to Section 415-11 of this chapter.

[16] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022. By-law 1137-2022 also repealed By-law 515-2018, which deleted former Schedules A-1 to A-6, Art. I, Residential Development Charges Rates and added new Schedules A-1 to A-4, Residential Development Charge Rates.**

Schedule A-3 to Article I:
Residential Development Charge Rates Effective - May 1, 2024

[Added 2022-08-15 by By-law 1137-2022[17]]

Service	Residential Charge By Unit Type						Percentage of Charge
	Singles and Semis	Multiples 2+ Bedrooms	Multiples 1 Bed and Bach.	Apartments 2+ Bedrooms	Apartments 1 Bed and Bach.	Dwelling Room	
Spadina Subway extension	$3,624	$2,995	$1,502	$2,121	$1,385	$982	2.6%
Transit (balance)	$44,025	$36,390	$18,254	$25,771	$16,823	$11,931	32.1%
Parks and Recreation	$16,767	$13,859	$6,952	$9,815	$6,407	$4,544	12.2%
Library	$2,310	$1,909	$958	$1,352	$883	$626	1.7%
Housing Services - Shelter	$1,502	$1,241	$623	$879	$574	$407	1.1%
Housing Services - Affordable Housing	$21,432	$17,714	$8,886	$12,545	$8,189	$5,808	15.6%
Police	$638	$528	$265	$374	$244	$173	0.5%
Fire	$240	$198	$99	$140	$92	$65	0.2%
Ambulance Services	$878	$726	$364	$514	$336	$238	0.6%
Development-related studies	$170	$140	$70	$99	$65	$46	0.1%
Long Term Care	$1,982	$1,638	$822	$1,160	$757	$537	1.4%
Child Care	$996	$824	$413	$583	$381	$270	0.7%
Waste Diversion	$797	$659	$330	$467	$305	$216	0.6%
Subtotal General Services	**$95,361**	**$78,821**	**$39,538**	**$55,820**	**$36,441**	**$25,843**	**69.6%**
Roads and Related	$24,236	$20,032	$10,049	$14,187	$9,261	$6,568	17.7%
Water	$3,764	$3,111	$1,561	$2,203	$1,438	$1,020	2.7%
Sanitary Sewer	$9,262	$7,656	$3,840	$5,422	$3,539	$2,510	6.8%
Storm Water Management	$4,417	$3,651	$1,831	$2,586	$1,688	$1,197	3.2%
Subtotal Engineered Services	**$41,679**	**$34,450**	**$17,281**	**$24,398**	**$15,926**	**$11,295**	**30.4%**
TOTAL CHARGE PER UNIT	**$137,040**	**$113,271**	**$56,819**	**$80,218**	**$52,367**	**$37,138**	**100.0%**

NOTE: The development charges described above shall be adjusted pursuant to Section 415-11 of this chapter.

[17] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022. By-law 1137-2022 also repealed By-law 515-2018, which deleted former Schedules A-1 to A-6, Art. I, Residential Development Charges Rates and added new Schedules A-1 to A-4, Residential Development Charge Rates.**

Schedule A-4 to Article I:
Reserved.[18]

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[18] **Editor's Note: By-law 1137-2022 deleted former Schedule A-4, Residential Development Charge Rates - Effective November 1, 2020. Former Schedule A-4 was added by By-law 515-2018, which deleted former Schedules A-1 to A-6, Art. I, Residential Development Charges Rates.**

Schedule B-1 to Article I:
Non-Residential Development Charge Rates per Square Metre

[Added 2022-08-15 by By-law 1137-2022[19]]

Service	Effective August 15, 2022	Percentage of charge	Effective May 1, 2023	Percentage of charge	Effective May 1, 2024	Percentage of charge
Spadina Subway extension	$18.92	4.0%	$21.65	3.8%	$24.37	3.7%
Transit (balance)	$212.99	44.7%	$254.56	44.5%	$296.14	44.4%
Parks and Recreation	$9.95	2.1%	$10.91	1.9%	$11.88	1.8%
Library	$1.64	0.3%	$1.64	0.3%	$1.64	0.2%
Housing Services - Shelter	$0.00	0.0%	$0.00	0.0%	$0.00	0.0%
Housing Services - Affordable Housing	$0.00	0.0%	$0.00	0.0%	$0.00	0.0%
Police	$7.78	1.6%	$7.78	1.4%	$7.78	1.2%
Fire	$2.63	0.6%	$2.63	0.5%	$2.63	0.4%
Ambulance Services	$3.91	0.8%	$5.38	0.9%	$6.86	1.0%
Development-related studies	$1.91	0.4%	$1.91	0.3%	$1.91	0.3%
Long Term Care	$0.00	0.0%	$0.00	0.0%	$0.00	0.0%
Child Care	$5.86	1.2%	$7.42	1.3%	$8.98	1.3%
Waste Diversion	$0.00	0.0%	$0.00	0.0%	$0.00	0.0%
Subtotal General Services	**$265.59**	**55.7%**	**$313.88**	**54.9%**	**$362.19**	**54.3%**
Roads and Related	$103.14	21.6%	$141.67	24.8%	$180.20	27.0%
Water	$30.96	6.5%	$30.96	5.4%	$30.96	4.6%
Sanitary Sewer	$59.08	12.4%	$61.13	10.7%	$63.17	9.5%
Storm Water Management	$18.17	3.8%	$24.28	4.2%	$30.38	4.6%
Subtotal Engineered Services	**$211.35**	**44.3%**	**$258.04**	**45.1%**	**$304.71**	**45.7%**
TOTAL CHARGE PER SQUARE METRE	**$476.94**	**100.0%**	**$571.92**	**100.0%**	**$666.90**	**100.0%**

NOTE: The development charges described above shall be adjusted pursuant to Section 415-11 of this chapter.

[19] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022. By-law 1137-2022 also repealed By-law 515-2018, which deleted Schedules A-1 to A-6, Art. I, Residential Development Charges Rates and added new Schedules A-1 to A-4, Residential Development Charge Rates.**

Schedule B-2 to Article I:
Non-Residential Development Charge Rates - Inclusionary Zoning Per Square Metre

[Added 2022-08-15 by By-law 1137-2022[20]]

Service	Effective August 15, 2022	Percentage of charge
Spadina Subway extension	$18.92	4.0%
Transit (balance)	$212.99	44.7%
Parks and Recreation	$9.95	2.1%
Library	$1.64	0.3%
Housing Services - Shelter	$0.00	0.0%
Housing Services - Affordable Housing	$0.00	0.0%
Police	$7.78	1.6%
Fire	$2.63	0.6%
Ambulance Services	$3.91	0.8%
Development-related studies	$1.91	0.4%
Long Term Care	$0.00	0.0%
Child Care	$5.86	1.2%
Waste Diversion	$0.00	0.0%
Subtotal General Services	**$265.59**	**55.7%**
Roads and Related	$103.14	21.6%
Water	$30.96	6.5%
Sanitary Sewer	$59.08	12.4%
Storm Water Management	$18.17	3.8%
Subtotal Engineered Services	**$211.35**	**44.3%**
TOTAL CHARGE PER SQUARE METRE	**$476.94**	**100.0%**

NOTE: The development charges described above shall be adjusted pursuant to Section 415-11 of this chapter.

[20] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022.**

Schedule C to Article I:
Development Charges -
Toronto Green Standard Program - Tier 2, 3 and 4 Cap

[Added 2022-08-15 by By-law 1137-2022[21]]

Toronto Green Standard Program - Tier 2 Cap, Version 2.0

COLUMN 1	COLUMN 2
RESIDENTIAL (PER DWELLING UNIT OR DWELLING ROOM)	
Single detached and semi-detached	$5,520.81
Apartment- two bedroom and larger	$3,522.40
Apartment- one bedroom and bachelor	$2,402.54
Multiple (all multiples)	$4,477.09
Dwelling room	$1,491.19
NON-RESIDENTIAL USE (PER SQUARE METRE)	$40.73

Toronto Green Standard Program - Tier 2, 3 and 4 Cap, Version 3.0 or Later

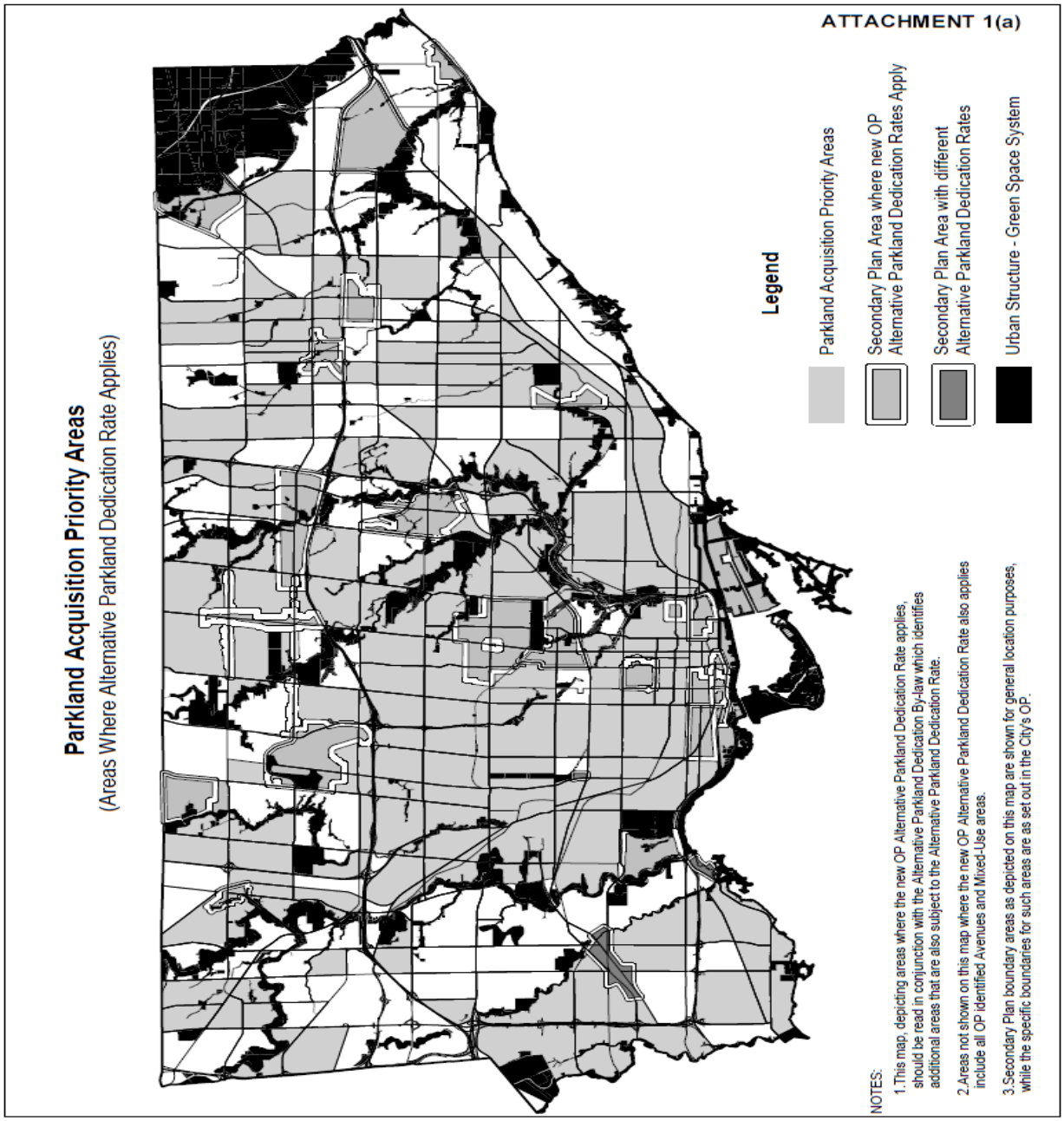
COLUMN 1	COLUMN 2 TGS Tier 2	COLUMN 3 TGS Tier 3 or 4
RESIDENTIAL (PER DWELLING UNIT OR DWELLING ROOM)		
Single detached and semi-detached	$6,901.01	$8,281.22
Apartment- two bedroom and larger	$4,403.00	$5,283.60
Apartment- one bedroom and bachelor	$3,003.18	$3,603.81
Multiple (all multiples)	$5,596.36	$6,715.64
Dwelling room	$1,863.99	$2,236.79
NON-RESIDENTIAL USE (PER SQUARE METRE)	$50.91	$61.10

NOTE: The amounts described in Columns 2 and 3 above shall be adjusted pursuant to Section 415-11 of this chapter.

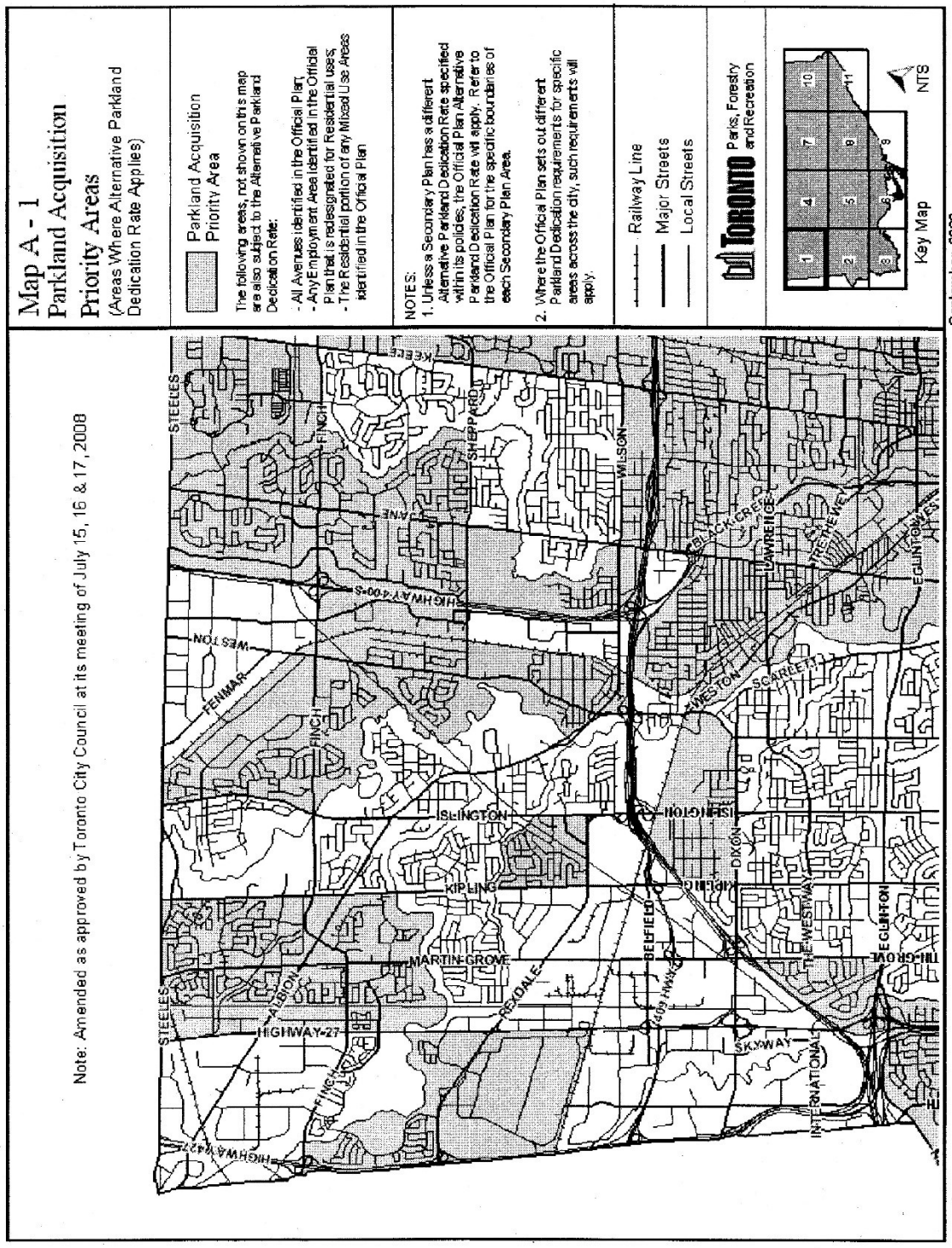
[21] **Editor's Note: By-law 1137-2022 came into force on August 15, 2022. By-law 1137-2022 also repealed By-law 515-2018, which deleted Schedules A-1 to A-6, Art. I, Residential Development Charges Rates and added new Schedules A-1 to A-4, Residential Development Charge Rates.**

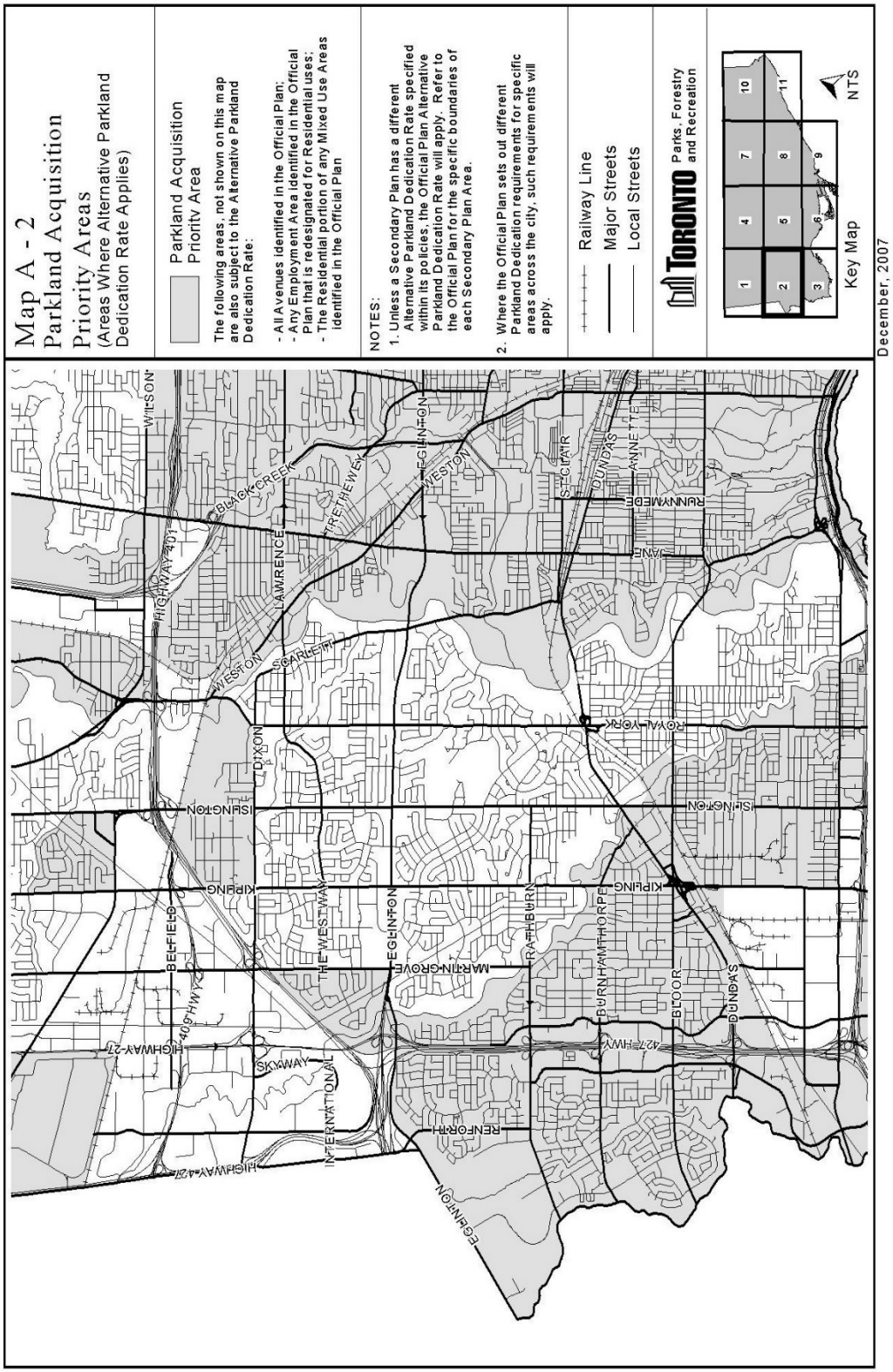
Schedule A to Article III:
Conveyance of Land for Parks Purposes as a Condition of Residential Development, Maps 1a and A-1 – A-11

[Amended 2008-09-25 by By-law 979-2008; 2014-12-11 by By-law 80-2015[22]]



[22] **Editor's Note: By-law 80-2015 is retroactive and is deemed to have come into force on August 14, 2014.**


Map A - 1
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan;
- Any Employment Area identified in the Official Plan that is redesignated for Residential uses;
- The Residential portion of any Mixed Use Areas identified in the Official Plan
NOTES:
1. Unless a Secondary Plan has a different Alternative Parkland Dedication Rate specified within its policies, the Official Plan Alternative Parkland Dedication Rate will apply. Refer to the Official Plan for the specific boundaries of each Secondary Plan Area.
2. Where the Official Plan sets out different Parkland Dedication requirements for specific areas across the city, such requirements will apply.
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
September, 2008
Note: Amended as approved by Toronto City Council at its meeting of July 15, 16 & 17, 2008
STEELES
FINCH
SHEPPARD
WILSON
KEELE
WESTON
FENMAR
ISLINGTON
KIPLING
MARTIN GROVE
DIXON
BELFIELD
REXDALE
HIGHWAY-27
SKYWAY
INTERNATIONAL
EGLINTON
LAWRENCE
SCARLETT
HWY 400


Map A - 2
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan;
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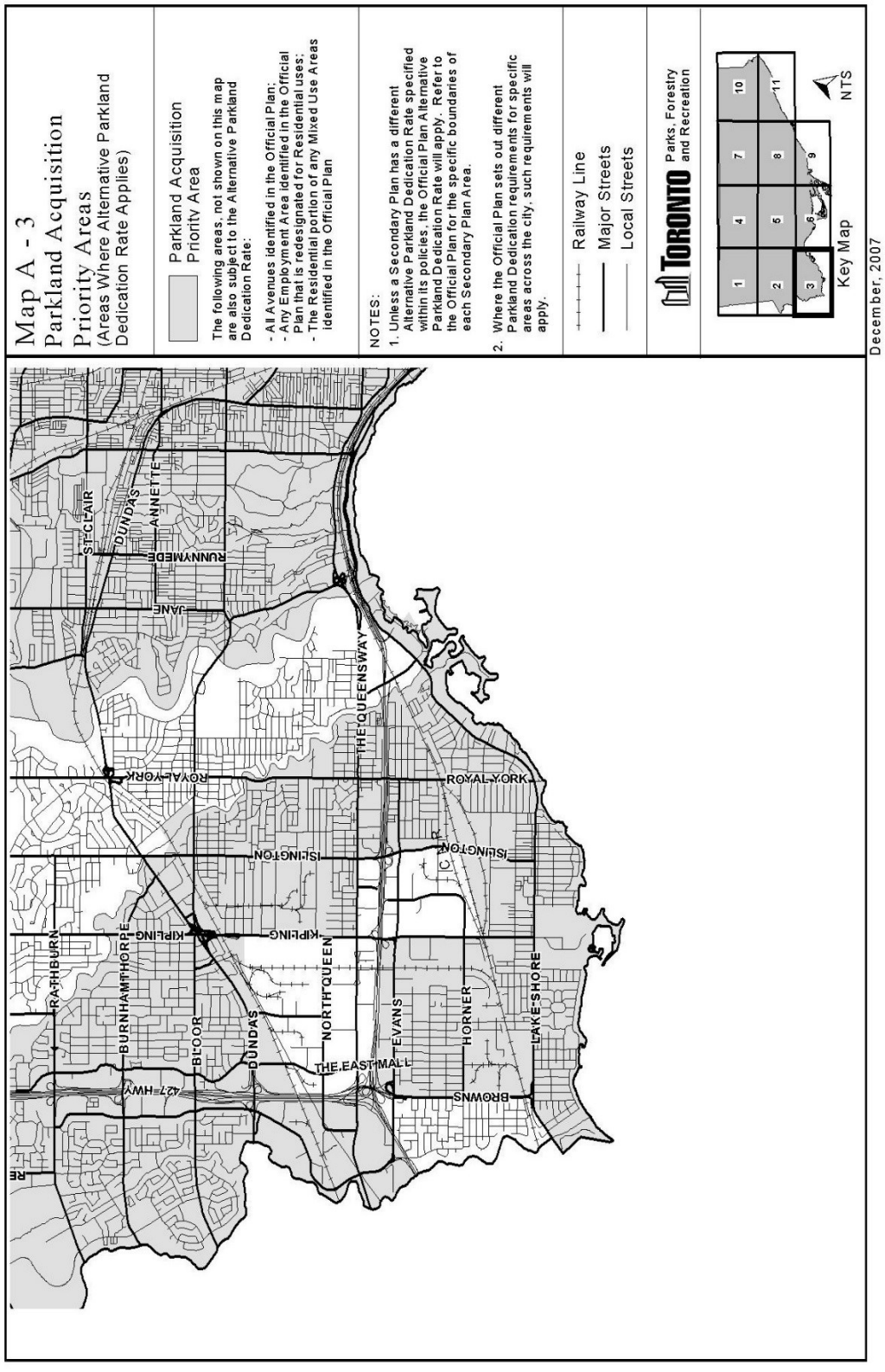
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
WILSON
BLACK CREEK
HIGHWAY 401
LAWRENCE
TRETHEWEY
EGLINTON
WESTON
SCARLETT
DIXON
ISLINGTON
KIPLING
BELFIELD
THE WESTWAY
HIGHWAY 27
409 HWY
SKYWAY
INTERNATIONAL
HIGHWAY 427
MARTIN GROVE
RATHBURN
RENFORTH
EGLINTON
ST CLAIR
DUNDAS
ANNETTE
RUNNYMEDE
JANE
ROYAL YORK
ISLINGTON
KIPLING
BURNHAMTHORPE
BLOOR
427 HWY
DUNDAS


Map A - 3
Parkland Acquisition Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan;
- Any Employment Area identified in the Official Plan that is redesignated for Residential uses;
- The Residential portion of any Mixed Use Areas identified in the Official Plan
NOTES:
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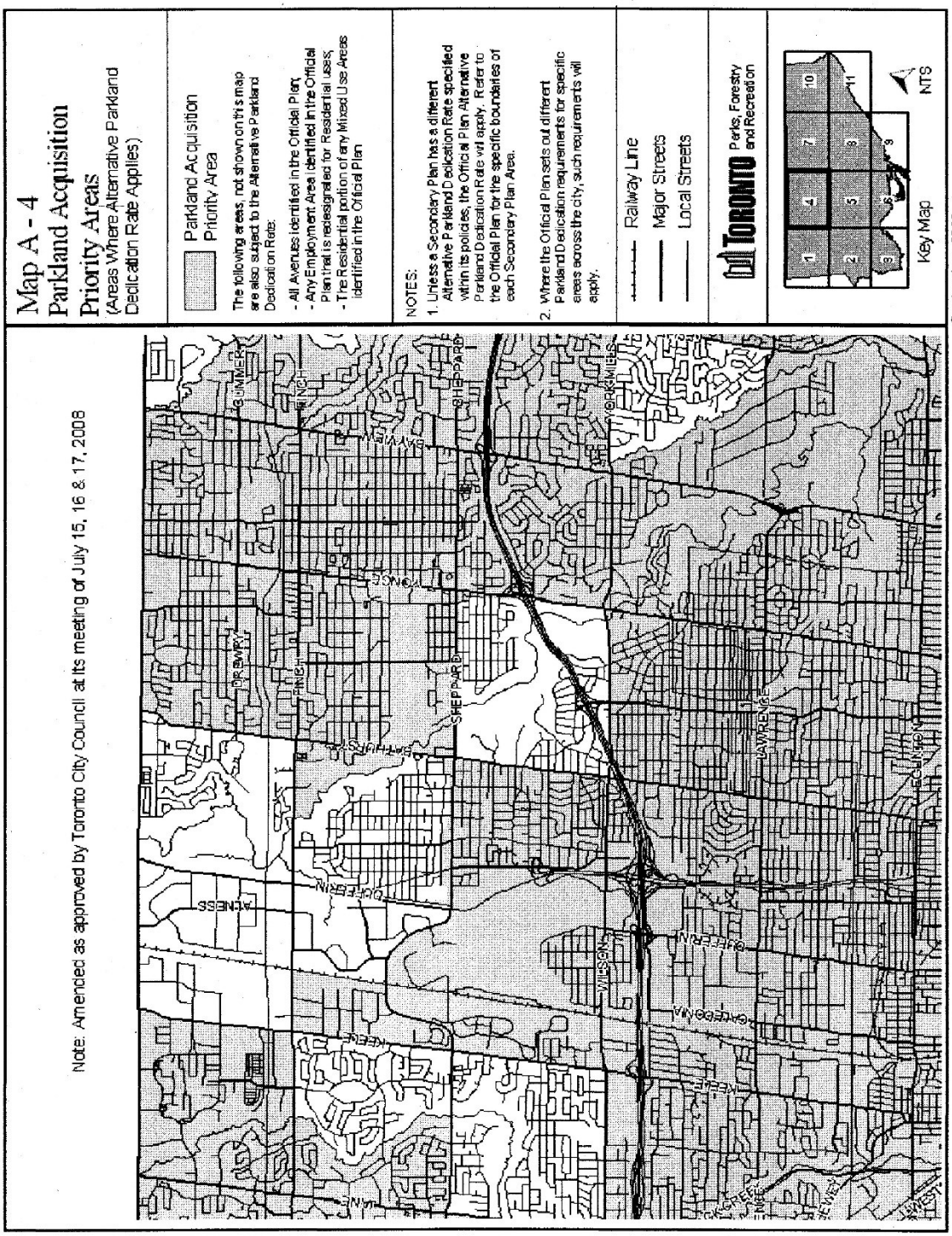
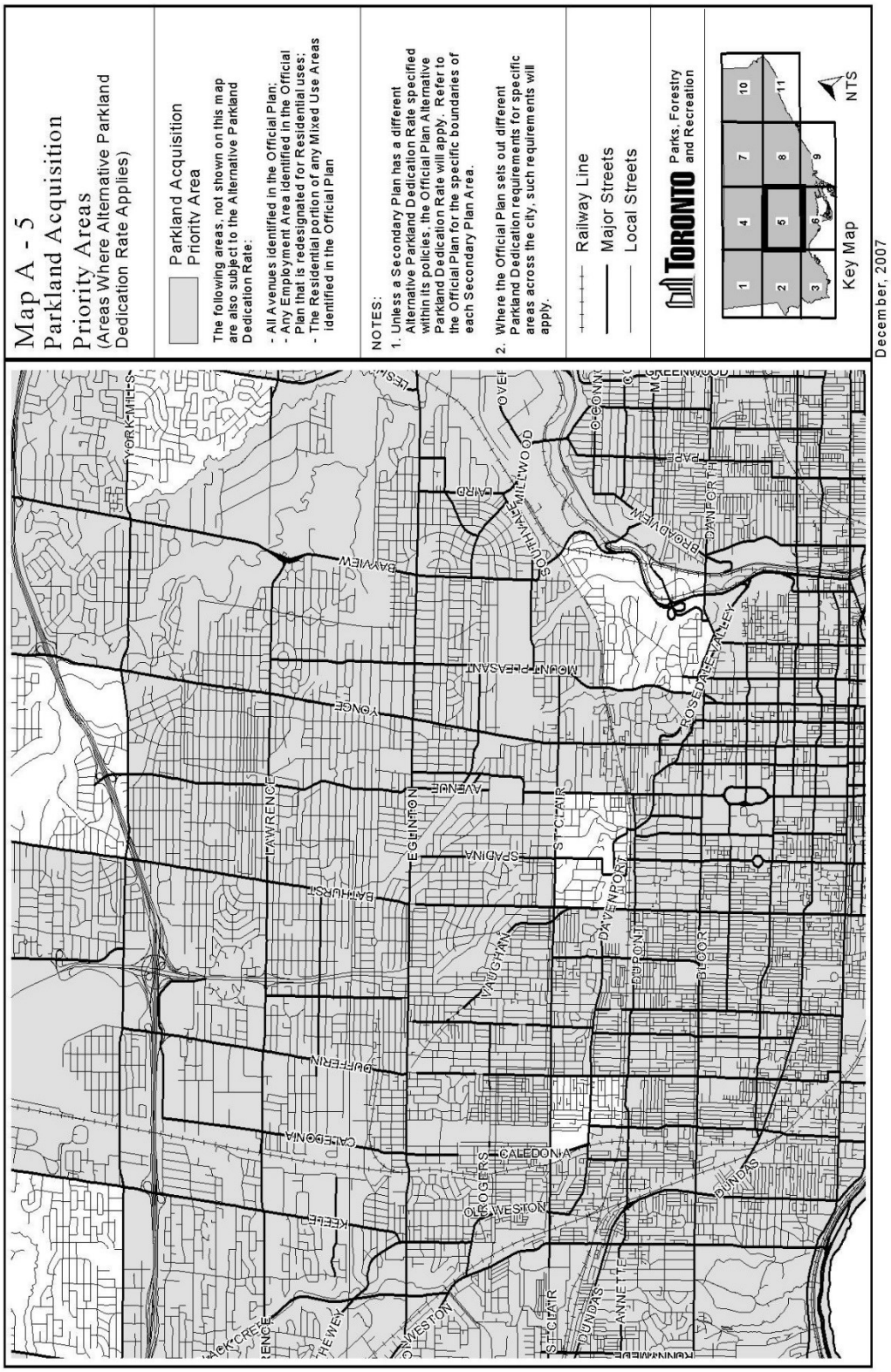
2. Where the Official Plan sets out different Parkland Dedication requirements for specific areas across the city, such requirements will apply.
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
ST. CLAIR
DUNDAS
ANNETTE
RUNNYMEDE
JANE
THE QUEENSWAY
ROYAL YORK
ISLINGTON
C.P.R.
KIPLING
RATHBURN
BURNHAMTHORPE
427 HWY
BLOOR
DUNDAS
NORTH QUEEN
THE EAST MALL
EVANS
HORNER
BROWNS
LAKE SHORE


Map A - 4
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan;
- Any Employment Area identified in the Official Plan that is redesignated for Residential uses;
- The Residential portion of any Mixed Use Areas identified in the Official Plan
NOTES:
1. Unless a Secondary Plan has a different Alternative Parkland Dedication Rate specified within its policies, the Official Plan Alternative Parkland Dedication Rate will apply. Refer to the Official Plan for the specific boundaries of each Secondary Plan Area.
2. Where the Official Plan sets out different Parkland Dedication requirements for specific areas across the city, such requirements will apply.
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
September, 2008
Note: Amended as approved by Toronto City Council at its meeting of July 15, 16 & 17, 2008


Map A - 5
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan;
- Any Employment Area identified in the Official Plan that is redesignated for Residential uses;
- The Residential portion of any Mixed Use Areas identified in the Official Plan
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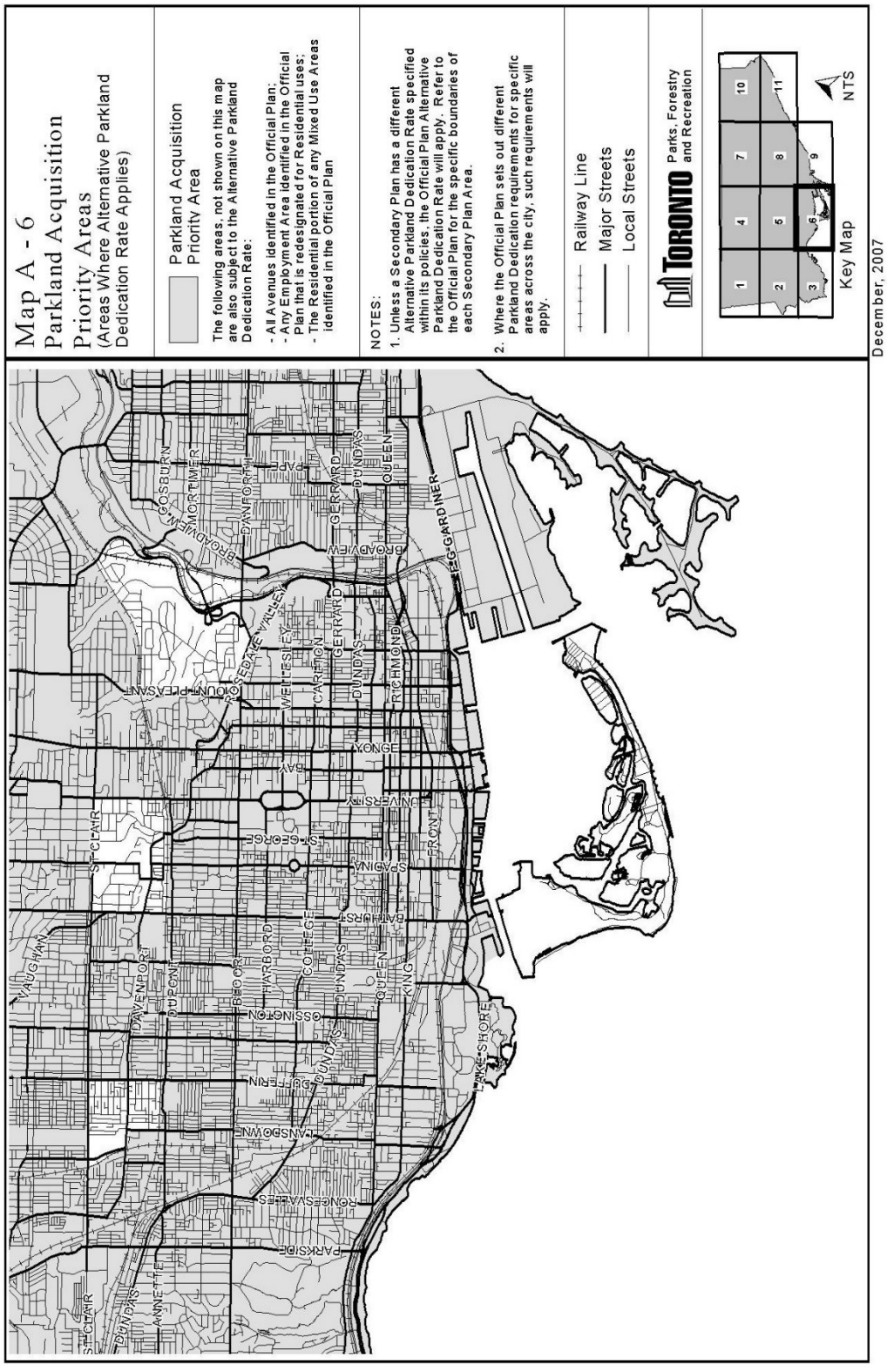
2. Where the Official Plan sets out different Parkland Dedication requirements for specific areas across the city, such requirements will apply.
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
YONGE
AVENUE
EGLINTON
DAVENPORT
BLOOR
DUNDAS
CALEDONIA
BATHURST
SPADINA
ST CLAIR
DAVIEW
MOUNT PLEASANT
BROADVIEW
GREENWOOD
WESTON
ROGERS
ANNETTE
KEELE
DUFFERIN
LAWRENCE
YORK MILLS
SOUTH KILLARNEY
ROSEDALE VALLEY


Map A - 6
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
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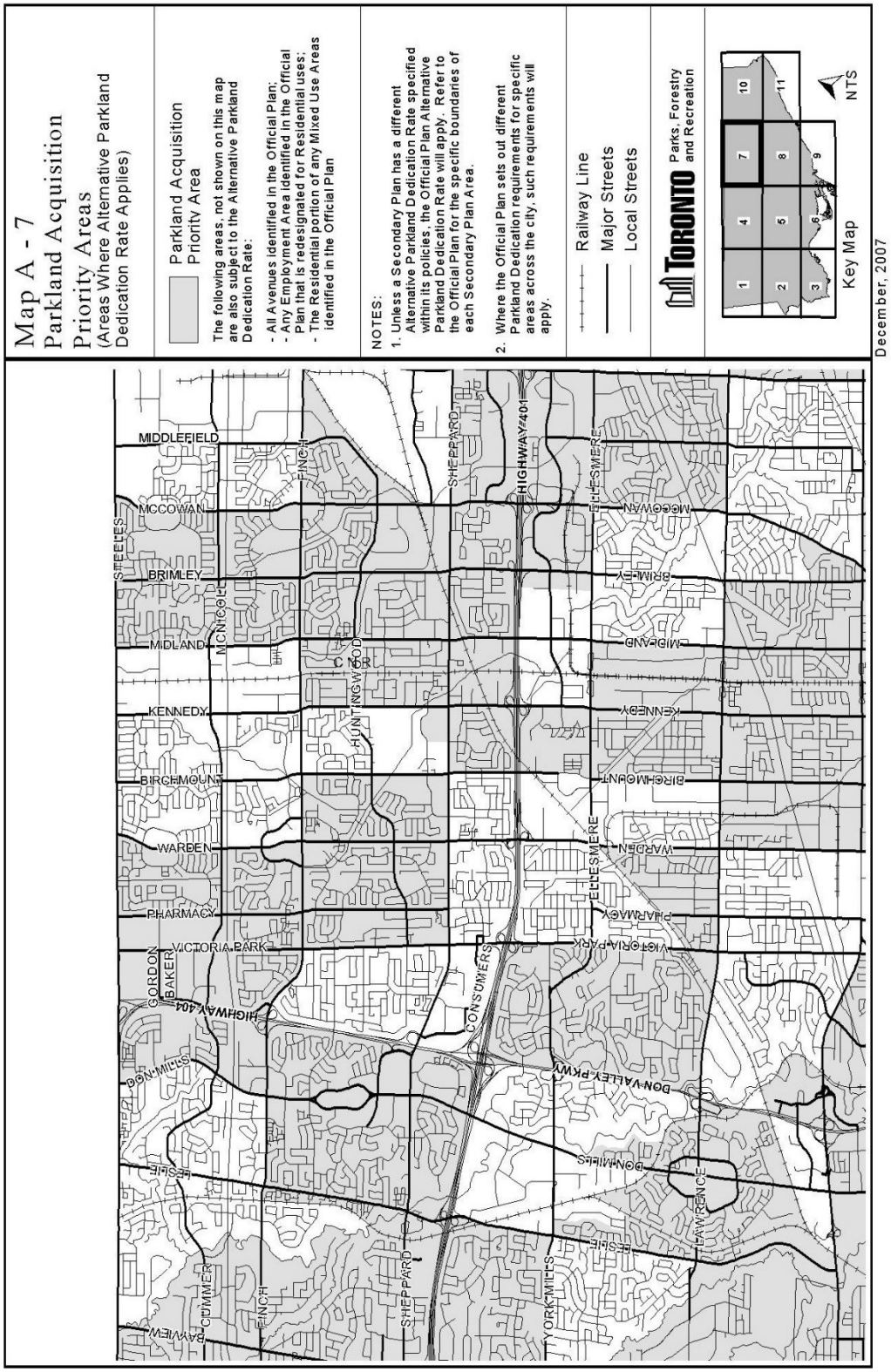
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
ST CLAIR
DUNDAS
ANNETTE
VAUGHAN
DUPONT
DAVENPORT
BLOOR
HARBORD
COLLEGE
OSSINGTON
DUNDAS
QUEEN
KING
LAKE SHORE
BATHURST
SPADINA
ST GEORGE
UNIVERSITY
FRONT
YONGE
BAY
WELLESLEY
CARLTON
GERRARD
DUNDAS
RICHMOND
EGLINTON
BROADVIEW
DAVENPORT
PAPE
QUEEN
DUNDAS
BROADVIEW
MORTIMER
COSBURN
ROSEDALE VALLEY
MOUNT PLEASANT
PARKSIDE
RONCESVALLES
DUNDAS
QUEEN
KING
LAKE SHORE


Map A - 7
Parkland Acquisition Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
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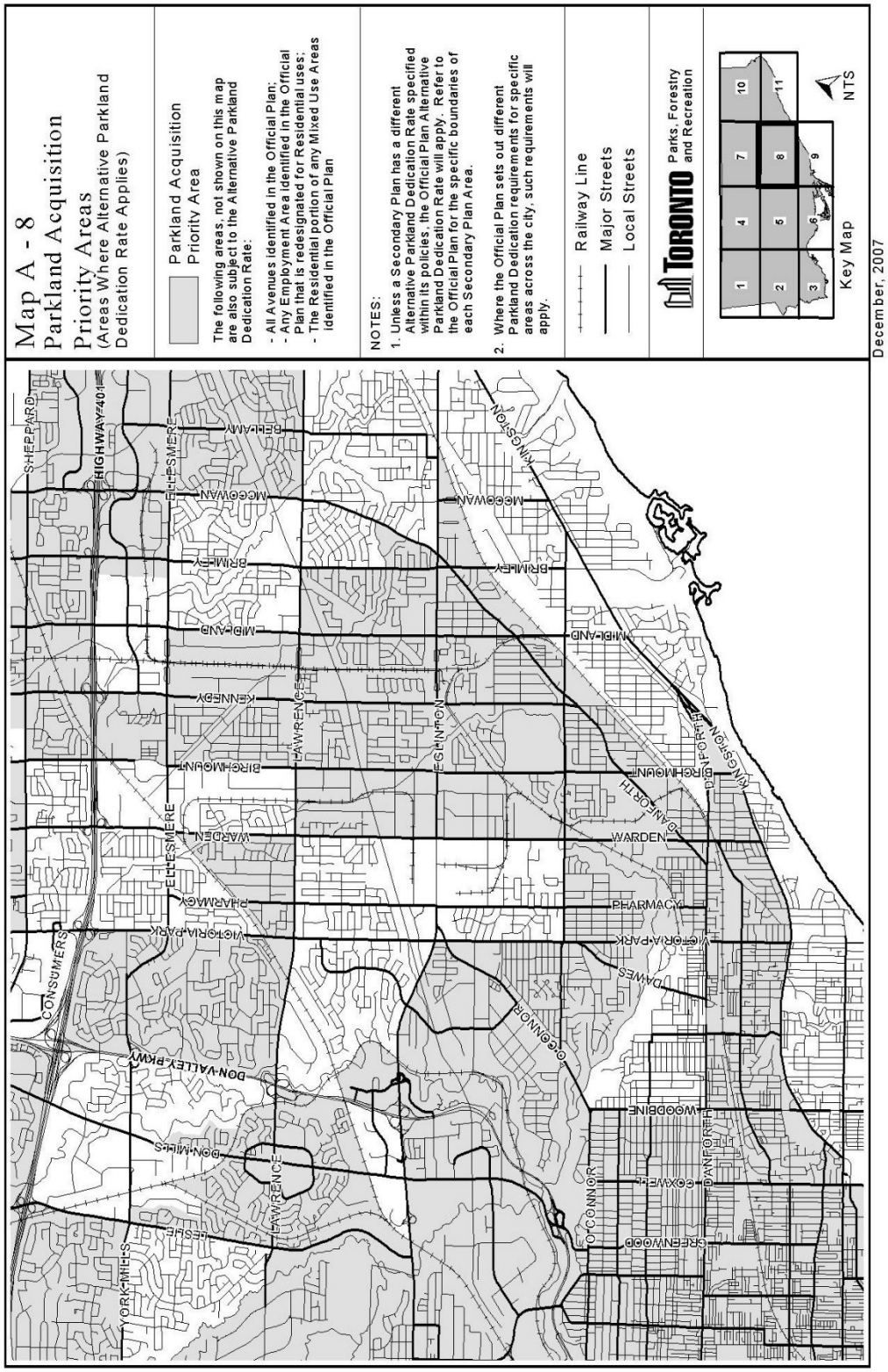
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
MIDDLEFIELD
MCCOWAN
BRIMLEY
MIDLAND
KENNEDY
BIRCHMOUNT
WARDEN
PHARMACY
VICTORIA PARK
HIGHWAY 404
DON MILLS
FINCH
SHEPPARD
HIGHWAY 401
MCGOWAN
BRIMLEY
MIDLAND
KENNEDY
BIRCHMOUNT
WARDEN
PHARMACY
VICTORIA PARK
DON VALLEY PKWY
DON MILLS
LAWRENCE
YORK MILLS
SHEPPARD
FINCH
CUMMER
STEELES
MCNICOLL
HUNTINGWOOD
CONSUMERS
ESSEX
ESSEX
ELLESMERE
ELLESMERE


Map A - 8
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
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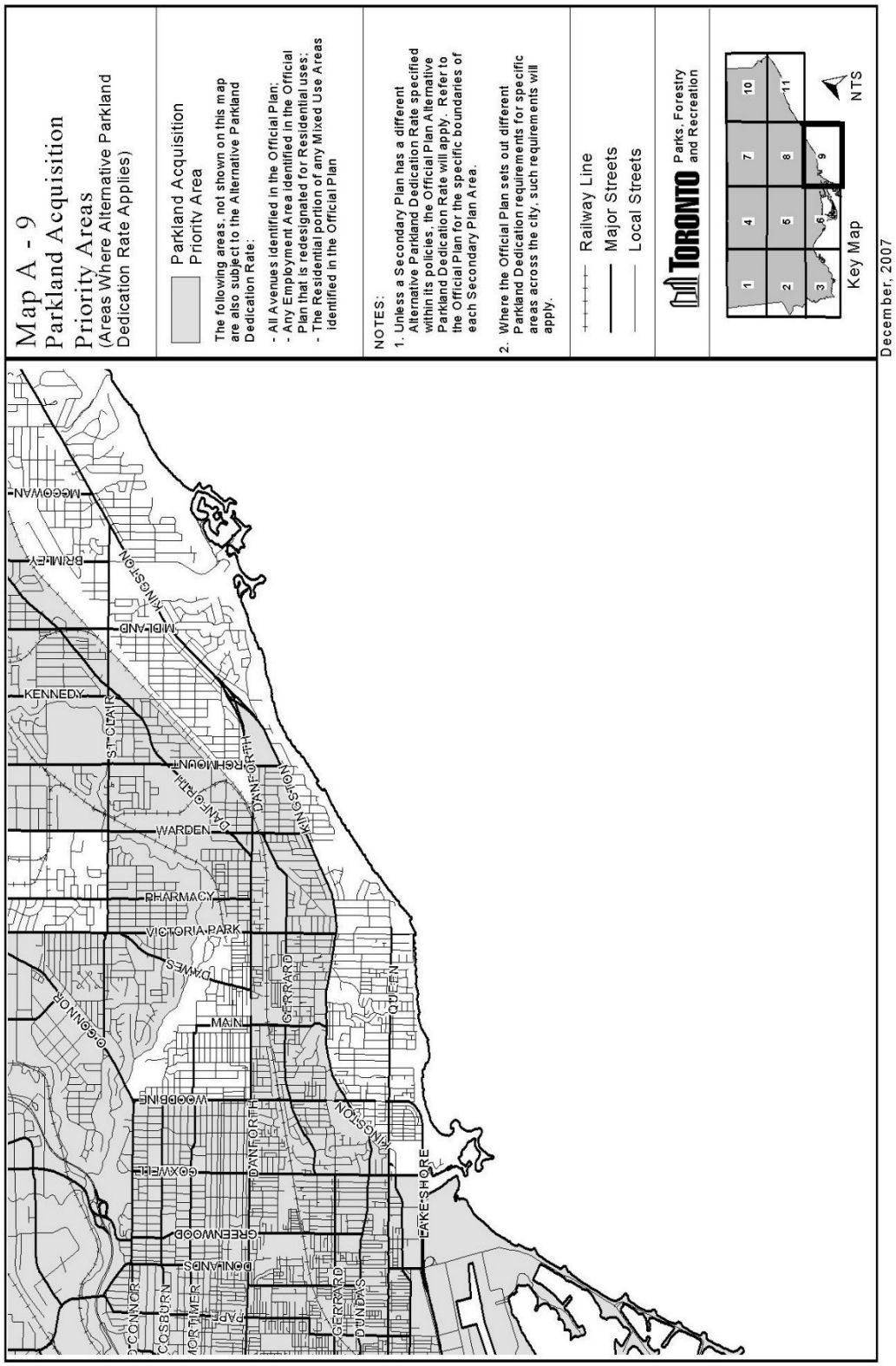
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
HIGHWAY 401
SHEPPARD
FINCH
McCOWAN
BRIMLEY
MIDLAND
KENNEDY
BIRCHMOUNT
LAWRENCE
EGLINTON
ELLESMERE
WARDEN
PHARMACY
VICTORIA PARK
DON VALLEY PKWY
DON MILLS
CONSUMERS
YORK MILLS
SHEPPARD
O'CONNOR
GREENWOOD
COXWELL
WOODBINE
DANFORTH
DAWES
KINGSTON
GLEN ORTH


Map A - 9
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
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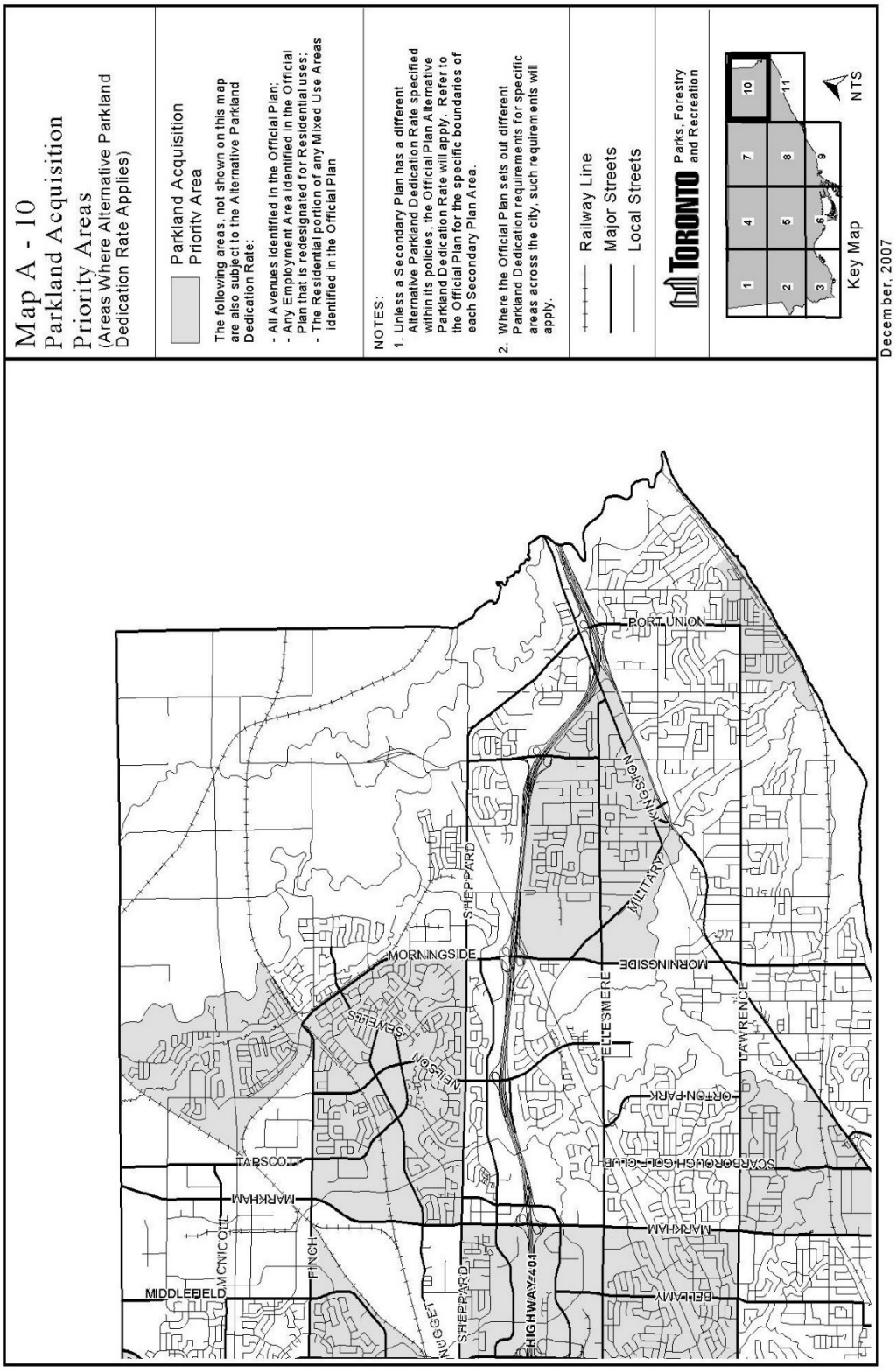
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
MCGOWAN
BRIMLEY
MIDLAND
KINGSTON
KENNEDY
ST CLAIR
ROSEMOUNT
DANFORTH
KINGSTON
DANFORTH
WARDEN
PHARMACY
VICTORIA PARK
DAWES
MAIN
GERRARD
QUEEN
O'CONNOR
WOODBINE
KINGSTON
GOXWELL
DANFORTH
LAKESHORE
GREENWOOD
DONLANDS
O'CONNOR
COSBURN
FORTUNE
PAPE
GERRARD
DUNDAS


Map A - 10
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
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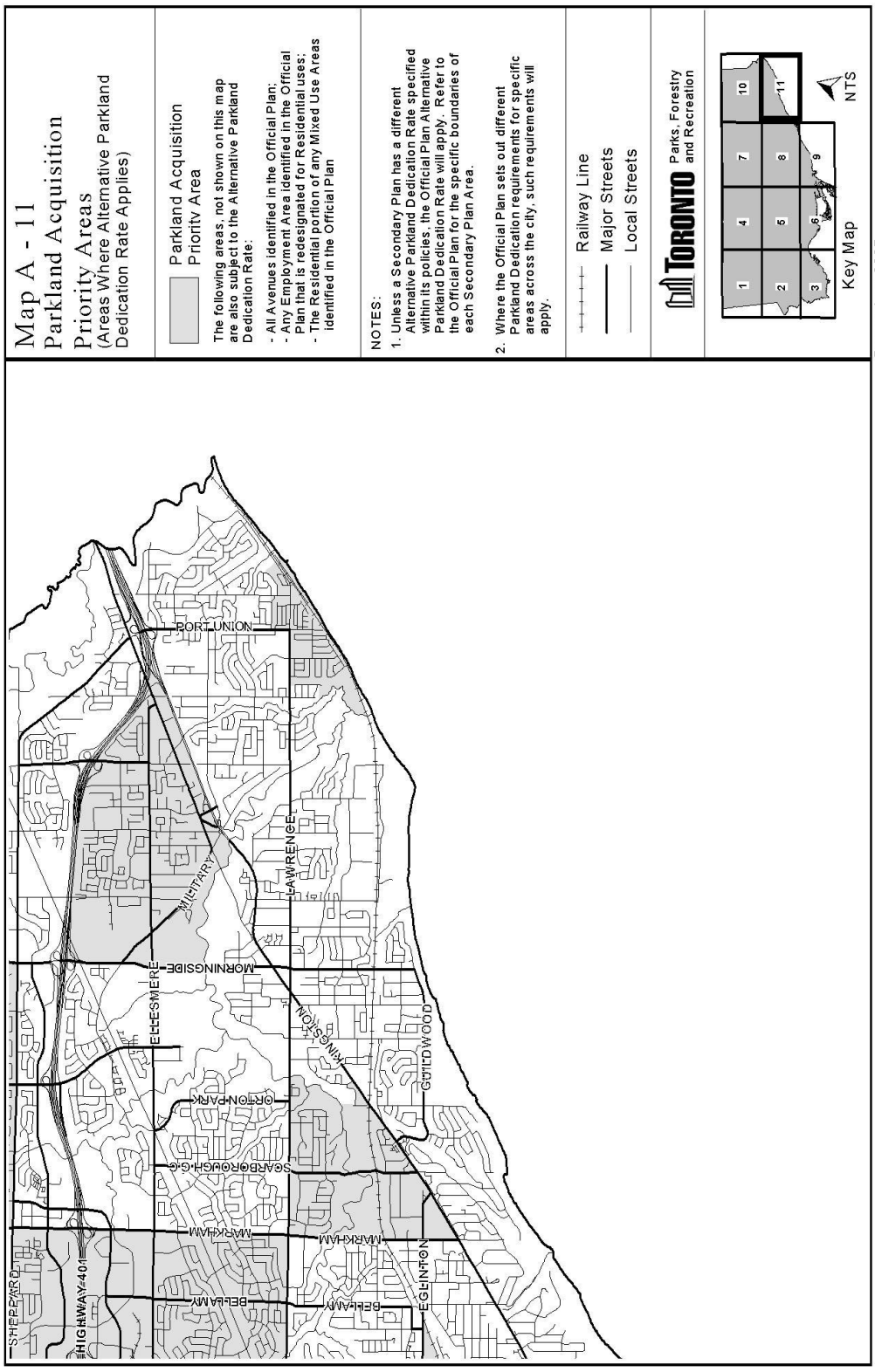
Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
PORT UNION
MORNINGSIDE
SHEPPARD
MILITARY
SENLAC
NELSON
TARSCOTT
MARKHAM
MCNICOLL
FINCH
MIDDLEFIELD
NUGGET
HIGHWAY 401
ELLESMERE
ORTON PARK
SCARBOROUGH GOLF CLUB
LAWRENCE
BIRCHMOUNT


Map A - 11
Parkland Acquisition
Priority Areas
(Areas Where Alternative Parkland Dedication Rate Applies)
Parkland Acquisition Priority Area
The following areas, not shown on this map are also subject to the Alternative Parkland Dedication Rate:
- All Avenues identified in the Official Plan:
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Railway Line
Major Streets
Local Streets
TORONTO Parks, Forestry and Recreation
Key Map
NTS
December, 2007
BORT UNION
MILITARY
LAWRENCE
MORNINGSIDE
ELLESMERE
KINGSTON
GUILDWOOD
ORTON PARK
SCARBOROUGH G.G.
MARKHAM
BELLAMY
EGLINTON
SHEPPARD
HIGHWAY 401

Schedule B to Article III:
Conveyance of Land for Parks Purposes as a Condition of Development

[Added 2010-08-27 by By-law 1020-2010; amended 2022-08-12 by By-law 1144-2022]

Municipal Code Chapter 415, Development of Land, Article III, Conveyance of Land for Park Purposes as a Condition of Development, does not apply to the following geographic areas:

A. The Railway Lands as described in By-law 612-85.

B. Land known in the year 1989 as "No. 99 Paton Road" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of Lots 2, 3, 4, 5 and part of Lot 1 on the north side of Bloor Street, now Bloor Street West, and Lots 30, 31 and 32 on the south side of Paton Road according to Plan 392 registered in the Land Registry Office for the Registry Division of Toronto (No. 63), designated as PARTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 on a plan of survey deposited in the said Land Registry Office as 63R-4634.

C. The Massey-Ferguson land as defined in subsection 2(1) of By-law 438-86.

D. The land bounded by Yonge Street, Gerrard Street West, Bay Street and College Street.

E. The land municipally known in the year 1992 as "No. 230 Front Street West" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of part of Block 1, according to Plan 66M-2248, registered in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66), designated as PARTS 1, 2, 3, 4, 5 and 7 on a plan of survey deposited in the Land Registry Office as 66R-15457.

The southerly limit of Wellington Street West, the northerly limit of Front Street West and the easterly limit of John Street as confirmed under the Boundaries Act by Plan BA-428, registered on June 28, 1973, as CT4776.

Being the whole of parcel Block 1-2 in the Register for section 66M-2248.

F. Land known in the year 1992 as "Nos. 210 and 244 Victoria Street" and "No. 10 Shuter Street", being the subject of By-law 669-91, with respect to the "thirty-four (34) artists" dwelling units and the community services and facilities comprising three thousand eight hundred ninety (3,890) square metres of residential gross floor area, and three thousand eight hundred eleven (3,811) square metres of non-residential gross floor area respectively, as these terms are referred to and defined in By-law 670-91.

G. The land known municipally in the year 1993 as "No. 235 Queens Quay West (York Quay Centre)" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of part of Block 12, according to Plan 616E registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PART 2 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66), as 66R-15681. Being part of Parcel 2-1 in the Register for Section A-616E.

H. The lands known municipally in the year 1993 as "Parcels Nos. SQ-2W and SQ-2E on Queens Quay West" and described as follows:

Parcel SQ-2W:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of:

FIRSTLY:

Parts of Blocks G and H, according to Plan D1397 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PART 3 on a plan of survey deposited in the said Land Registry Office as 64R-14173.

SECONDLY:

Parts of Blocks G and H, according to Plan D1397 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PART 2 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66) as 66R-16778. Being part of Parcel Block G-7 in the Register for Section AD-1397.

Parcel SQ-2E:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of:

FIRSTLY:

Parts of Blocks G and H, according to Plan D1397 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PART 19 on a plan of survey deposited in the said Land Registry Office as 64R-14173.

SECONDLY:

Parts of Blocks G and H, according to Plan D1397 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PART 1 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66) as 66R-16778. Being part of Parcel Block G-7 in the Register for Section AD-1397.

I. The land known municipally in the year 1993 as "570, 590 and 600 Queens Quay West (Parcel BQ-8)" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of parts of Blocks D, G, H and I, according to Plan D1397 and part of Block 3 according to Plan D1429, both Plans being registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PARTS 3, 4, 5 and 6 on a plan of survey deposited in the said Land Registry Office as 63R-4555.

J. The land known in the year 1993 as "Nos. 2376, 2382 and 2388 Dundas Street West" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of part of Township Lot 34, in Concession 2 From the Bay, in the original Township of York, designated as PARTS 1 and 2 on a plan of survey deposited in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), as 64R-14342.

SUBJECT TO a free and uninterrupted Right-of-way in favour of the owner of the lands immediately to the south, its successors and assigns, through, over, along and upon that part of the said Township Lot 34, designated as PART 2 on the said Plan 64R-14342 as set out in Instrument 133227W.H.

AND TOGETHER WITH a free and uninterrupted Right-of-way in favour of the owner of the hereinbefore described lands, its successors and assigns, through, over, along and upon that part of the said Township Lot 34, designated as PART 3 on the said Plan 64R-14342 as set out in Instrument 133227W.H.

The said land being most recently described in Instrument CT920454.

K. The land known municipally in the year 1995 as "26 Noble Street" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of all Units and Common Elements comprising the property included in Metropolitan Toronto Condominium Plan No. 1082 being Property Identifier Numbers 12082-0001(LT) to 12082-0012(LT), Land Titles Division of Metropolitan Toronto (No. 66).

L. The land known municipally in the year 1995 as "24 Noble Street" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of all Units and Common Elements comprising the property included in Metropolitan Toronto Condominium Plan No. 931 being Property Identifier Numbers 11931-0001(LT) to 11931-0079(LT), Land Titles Division of Metropolitan Toronto (No. 66).

M. The land known municipally in the year 1995 as "226 and 230 Queens Quay West" and described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of:

FIRSTLY: (Land Titles Office)

All of Parcel 1-3 in the Register for Section A-616-E. Being parts of Blocks 1, 2 and 3 according to Plan 616E registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PARTS 1 to 15, inclusive, on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66) as 66R-16486.

SECONDLY: (Land Registry Office)

Parts of Blocks 2 and 3 according to Plan 616E registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PARTS 18, 19 and 20 on a plan of survey deposited as 64R-13511.

N. The land known municipally in the year 1995 as "950 Yonge Street" and described as follows:

All of Parcel 4-1 in the Register for Section A-383. Being parts of Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 on the south side of Emma Street, now Roden Place, part of Block A, the One Foot Reserved and part of Sarah Street, formerly John Street, according to Plan 383 and Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34 and 36 and Block N on the north side of Frichot Avenue according to Plan 854, both said Plans being TORONTO MUNICIPAL CODE, DEVELOPMENT OF LAND Page 165.10 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), the said part of Sarah Street closed by Judge's Order dated March 21, 1961, registered as Instrument 62476E.M., designated as PARTS 1, 2, 3, 4, 5 and 6 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66) as 66R-17311. City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario.

O. The land known municipally in the year 1996 as "15 Sudbury Street" and described as follows:

Parcel Ordinance Reserve-1, Section A-878 in the City of Toronto, in the Municipality of Metropolitan Toronto, being composed of part of the Ordinance Reserve on the south side of Sudbury Street on Registered Plan 878 and part of Sudbury Street, on the said Plan 878, as stopped up and closed by By-law 16423 and 17143 of The Corporation of the City of Toronto registered as Instrument 24938-WF and Instrument 27690-WF, respectively, designated as Parts 1, 2, 3 and 4 on Reference Plan 66R-15969.

P. The land known municipally in the year 1999 as Nos. 195 and 253 Merton Street and described as follows:

In the City of Toronto and Province of Ontario, being composed of:

FIRSTLY:

Parcel 153-2 in the Register for Section M-5. Being part of Lot 153 on Plan M-5 designated as PART 1 on Plan 66R-17257, both said Plans being in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66).

SECONDLY:

Parcel 151-3 in the Register for Section M-5. Being Lots 154, 155, 156, 157, 158 and 159 and parts of Lots 151, 152, 153, 160, 161 and 162 on Plan M-5 designated as PARTS 6 and 8 on Plan 66R-15877, both said Plans being in the Land Registry Office for the Land Titles Division of Metropolitan Toronto (No. 66).

Q. The land known municipally in the year 2005 as Nos. 146 and 160 Wellesley Street East and described as follows:

In the City of Toronto and Province of Ontario, being composed of:

Lot 58 and Part of Lot 57, Registered Plan D-30 and Part of Park Lot 5, Concession 1, From the Bay, City of Toronto, more particularly described as Parts 1 through 18, inclusive, on Plan 66R-21117.

Schedule A to Article IV: Conveyance of Land for Parks Purposes as a Condition of Residential Development - Former City of North York

[Amended 2022-08-15 by By-law 1144-2022[23]]

List of Properties Subject to Article IV:

1. York University Secondary Plan
2. 314-325 Bogert Avenue 305-308 Poyntz Avenue
3. 230 Finch Avenue East
4. 939 Lawrence Avenue East (Don Mills Plaza)
5. 865-867-869 Sheppard Avenue West 6. 555 Finch Avenue West (Advent Health Care)

[23] **Editor's Note: By-law 1144-2022 came into force on August 15, 2022.**