

Update

Municipal, Planning and Property Tax

June 8, 2009

The City of Toronto's Draft New Zoning By-Law

The City of Toronto has prepared a draft new zoning by-law intended to harmonize the 43 different zoning by-laws inherited from the 6 pre-amalgamation municipalities. The proposed by-law text and an interactive zoning map are now available for review and comment on-line at <http://www.toronto.ca/zoning/>.

Background

The preparation of a comprehensive zoning by-law for the City of Toronto has been a 5-year project for City staff. The main intent has been to harmonize the language of existing zoning by-laws, rather than changing zoning standards. Where choices had to be made between differing by-law provisions, an attempt has been made to take a "best practices" approach.

The by-law contains a system of Residential, Commercial and Employment-Industrial Zones, as well as various mixed use zones incorporating elements of these three use categories. In addition, Institutional, Open Space and Utility Zones are provided. These zoning categories are described as "broadly similar in structure and content" to those in the existing by-laws. Existing properties which do not comply with new performance standards will be "deemed" to comply with the new by-law through non-compliance provisions included throughout the draft new zoning by-law.

For the Commercial Residential zoning category, which applies to most of the areas targeted for intensification under the new Official Plan (i.e. the Downtown, Centres and Avenues), the intent is to reflect the existing zoning where residential uses are not now already permitted. Rezoning applications will still be required to implement the Mixed Use policies of the Official Plan.

While the emphasis is on harmonization rather than new standards, the draft by-law establishes the following new standards of note:

- 1) **Parking and Loading Standards:** Standards vary across the City according to the availability of transit, and location within the Official Plan's urban structure. In general, the proposed parking rates are lower than existing, with the lowest rates in the Downtown and Centres.
- 2) **New Large-Scale Stand-Alone Retail Uses in Employment Zones:** These will only be permitted through rezoning (such uses were previously permitted as-of-right in some Employment zones).
- 3) **Use or Storage of Dangerous Substances:** In response to the Sunrise Propane incident in August 2008, the proposed classification of Industrial Uses takes into account the amount of dangerous substances used or stored on site, and provides separation distances from sensitive uses.
- 4) **Minimum Heights in Commercial Residential Zones:** The draft new by-law proposes a minimum height of 3-storeys in these zones, together with a minimum first floor height of 4.5 metres for non-residential uses.
- 5) **Tall Buildings:** The Guidelines applied since 2006 are proposed to become by-law standards. The tower portion of

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a tall building is defined as that part which is taller than the width of the street on which it fronts (or the larger street in the case of corner lots). The new tower standards also set a maximum gross floor area per floor for the tower portion of a mixed use, residential or hotel building of 750 square metres. Towers are to be set back 12.5 metres from a property line, or separated by 25 metres for towers on the same site.

City staff hope that the by-law consolidation will enable more efficient day-to-day management of licensing, building permit and planning applications by City staff, and also quicker responses to City-wide land use planning issues from both staff and City Council. The new zoning by-law is also intended to be easier to understand and work with by making zoning information accessible online.

Treatment of Existing Site-Specific Zoning Permissions

One of the major challenges in drafting the new zoning by-law is the question of how to deal with existing site specific amendments, which affect large portions of the more intensively developed areas of the City. Staff attempted to incorporate those standards that affect larger areas or districts into the draft new zoning by-law, and leave site-specific development provisions unaltered (therefore leaving a “hole” in the new by-law where no new provisions will be proposed at this time, and the new by-law will not apply).

Next Steps

Staff are inviting comments on the draft new zoning by-law. These comments can be submitted directly by linking to a comment pane on the text of the draft by-law.

A key issue will be to ensure that the draft new zoning by-law appropriately incorporates existing use permissions and standards, including existing site-specific provisions and by-laws, and legal non-conforming uses. We would be pleased to discuss this matter further should you have con-

cerns about your specific property, or should you wish us to review the impact of the draft new zoning by-law on existing or future uses.

Staff's Targeted Schedule for New Zoning By-law

April 14	Staff Report on Summary and Public Consultation Process, adopted as amended by the Planning and Growth Management Committee
April 20	Presentation to City Planning staff
May 6	Staff Report on additional methods to inform the public adopted by the Planning and Growth Management Committee
May 26	Outreach to stakeholder groups
May-June	Attend ward meetings requested by City Councillors
May-June	Planning staff meets with City Divisions
May 27-June 1	Two briefing sessions with Councillors and their staff
June 2-July 2	Eight Open Houses (two per district)
June-Sept	City Planning staff review comments gathered from public consultation and revise the draft by-law
October 7	Staff Report to Planning and Growth Management Committee on results of public consultation
October	Statutory Open House
October	20-day notice in newspaper
November	Special meeting of Planning and Growth Management Committee
November 30	Council Adoption of draft by-law

If you have any questions with respect to the draft new zoning by-law, please do not hesitate to contact any member of our Municipal Group:

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