



City of Toronto Proposed New Zoning By-Law

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The following article represents a brief overview of the significant initiative of the City of Toronto in respect of revamping the City's zoning regime. This initiative will impact the development of properties within the City.

City of Toronto Harmonized Zoning By-law

The City of Toronto has recently released a revised version of its proposed new Zoning By-law (the "By-law"). The purpose of the By-law is to collapse the many zoning by-laws regulating development across the entire City largely into one consolidated zoning regime. The text of the By-law along with the interactive zoning map can be viewed on-line at Toronto.ca/zoning.

The volume of maps contained within the proposed new By-law are key to determining the provisions of the By-law that will apply to a particular site and to determine what new zoning category now defines the site's development potential.

With respect to existing zoning permissions, as proposed, the By-law will not apply to sites in: the *Centres*; where there are potential official plan conformity concerns; in the process of being developed, and: that are subject to site-specific zoning applications for this current session of City Council. Chapter 900 of the proposed By-law sets out the site specific amendments and Chapters 950 and 955 are dedicated to certain zoning by-laws which will remain. The latter category will continue to be in force although it is as yet unclear the extent to which these will indeed prevail where a conflict arises with the proposed new By-law.

Of particular note, minor variances already secured for a particular site will not automatically be grandfathered, which could result in the loss of development rights previously granted through the Committee of Adjustment or OMB processes.

Comprehensive performance standards are set out for each zone category. For example, residential zones will be divided up into low, medium rise and high-rise residential zones, each of which will be divided into sub categories, the regulations for which accord to the particular typology. New definitions in the By-law will be significant to the development industry, such as for *gross floor area*, and new regulations are stipulated with respect to parking, bicycle parking and loading requirements.

The By-law will impact most properties within the City's boundaries and give rise to significant changes to the existing zoning for developed properties. There are a number of mistakes currently found within the mapping system, which is not surprising given the scale of the By-law project. Accordingly, we strongly recommend that the By-law be reviewed in detail to determine how it will affect a property and whether it accurately sets out the zoning for that property.



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The By-law is scheduled to go before City Council for final approval at Council's meeting of 6-7 July 2010. Prior to that date there will be a series of other meetings and open houses, including a statutory public meeting on 16 June 2010.

Of significant importance for development properties, in order for a property owner to appeal the application of the By-law, the owner (or its agent) must have made oral or written submission to City Council before Council adopts the proposed By-law. We would be happy to review with you the impact of the By-law on any property and to communicate your concerns to the City on your behalf. ■

Disclaimer: the above is intended as a source of general information and should not be relied on for specific legal advice. This information does not establish a solicitor-client relationship between you and Blaney McMurtry LLP. We would be pleased to discuss the issues raised above with you in the context of your particular circumstances.