

Toronto's "Harmonized" Comprehensive Zoning By-law: Closer to Approval

By Barnet H. Kussner and Constance Y. Lanteigne

Since 2004, the City of Toronto has been working on harmonizing the 43 different zoning by-laws inherited from its pre-amalgamation municipalities into one single comprehensive zoning by-law. While the existing zoning by-laws have certain elements in common with one another, there are significant differences in their methodologies, format, land use categories, and development standards within each category.

The harmonization process involves the review of over 10,000 property-specific amendments and a list of different regulations, and is intended to provide a uniform and consistent approach to zoning applications. The goal is to develop a common terminology, structure and set of defined zoning terms that apply across the City.

In addition to the harmonization of existing standards, the draft zoning by-law also includes some new standards relating to parking and loading, large format stand-alone retail in Employment-Industrial Zones, zoning for Places of Worship, regulations for new 'tall' buildings, regulations relating to the storage of dangerous substances, and the minimum height of buildings along Avenues and Main Streets.

While the City intends to "grandfather" and deem properties and their existing buildings in compliance with the performance standards in the draft zoning by-law, there is also a likelihood that many properties will be rendered legal non-conforming. This can have a significant impact on property values and development rights. For these reasons, property owners should be aware of the potential impacts which the draft comprehensive zoning by-law might have.

Community consultation for the new draft zoning-by-law is now almost complete. City staff are expected to report back to the Planning and Growth Committee in the fall of 2009. A statutory public meeting is intended to be held in November 2009 with the potential enactment of the draft by-law by **November 30, 2009**.

WeirFoulds can advise you on how the city's new zoning by-law could impact your property rights and interests, both now and in connection with any future development plans or proposals you may have.

For more information, please contact Barnet H. Kussner or Constance Y. Lanteigne.

WeirFoulds LLP
The Exchange Tower
Suite 1600, P.O. Box 480
130 King Street West
Toronto, Ontario, Canada
M5X 1J5
Office 416.365.1110
Facsimile 416.365.1876
www.weirfoulds.com

AUTHOR

Barnet H. Kussner



Barnet is a seasoned advocate with extensive experience acting for public and private sector clients, primarily on municipal, land use planning and healthcare sector issues. He is also the co-head of the firm's municipal, planning and development practice. Contact Barney at 416.947.5079 or bkussner@weirfoulds.com.

AUTHOR

Constance Y. Lanteigne



Constance practises all aspects of municipal, planning and development law and has appeared as counsel before the Ontario Municipal Board, the Ontario Superior Court of Justice and the Ontario Divisional Court. Contact Constance at 416.947.5022 or clanteigne@weirfoulds.com.