



Comments by People Plan Toronto - Proposed Harmonised Zoning Bylaw

September 25, 2009

People Plan Toronto (PPT) began in early 2007 as an ad hoc committee comprised of representatives from a number of residents' associations across Toronto. We believe that Toronto's planning process has become unwieldy, overcomplicated, and far too removed from the citizens it is meant to serve. Our mission is to change that by helping communities understand more about the planning process and advocate for reform.

PPT's main objective for the introduction of the Harmonised Bylaw is therefore that the public review process provides clear and accessible information, so that ordinary citizens can understand its implications and be able to comment effectively.

Cathie Macdonald, a representative of PPT, appreciated the opportunity to meet with Joe D'Abramo and members of the team, to ask questions and discuss the proposed bylaw..

PPT has been unable to review the entire proposal but, at this point, has two main concerns about the proposal.

1. The public has difficulty understanding the significant changes proposed as limited information has been provided about the many new proposals.

Comments:

- The proposed Harmonised Bylaw is enormous as it includes most of the 43 existing bylaws (although almost 30 of these are neighbourhood bylaws in Scarborough). It goes well beyond "harmonising" provisions of the bylaws of the former cities; it adds many new provisions, such as tall building envelopes, building envelopes for Avenues, and restricting the location of schools and churches. Normally new zoning bylaw regulations are introduced separately with detailed planning reports that can be understood by the public and defended at the OMB, but not in this case.
- Limited information has been provided to the public about the proposals. Last March's short planning report did not explain reasons for many of the changes or their impacts. Maps with key information were missing from the electronic version. Few people attended the series of open houses and limited information was presented due to time constraints. Reviewing the proposals is a daunting task for the public and even for experts.

Recommendations:

- **Prepare separate comprehensive planning reports on the key new provisions, including a clear rationale for the proposed changes.**

- **Establish task teams of citizens and industry representatives to advise on where additional information and analysis is needed and what should be provided.**
- **Create a community engagement process that shows citizens the impacts of the changes in their specific neighbourhoods across the City, in order to give some context to the information. Simple explanations with good illustrations are needed. Issues should be reported in sufficient detail and separately.**
- **Consider an alternative approach of retaining more of the existing bylaws, amalgamating the 29 Scarborough Bylaws, and amending these to introduce only the most important harmonising provisions and do the major changes separately.**

2. Further review is required for certain new provisions (whether “harmonised” or totally new) to ensure that changes are neutral and will not have problematic and unintended impacts.

Comments:

City wide standards may be appropriate in some areas but not others. The Official Plan calls for protection of low density areas, and zoning provisions have been developed over the years to reflect local planning objectives. “Harmonisation” must be carefully considered, especially in these areas. But little information has been provided to show that the proposed changes are actually neutral. Examples that can have a negative impact include:

- The change from “gross floor area” to “lot coverage”. This includes an increase to accommodate adding in accessory buildings like garages and storage sheds to “lot coverage”. The result is that houses will be able to be significantly larger on those many lots without accessory structures or where these are demolished; in comparison, accessory buildings have little impact. A Committee of Adjustment variance can then further increase the size of the house.
- The change from the measuring height of a house at the mid point of a sloping roof to measuring to the top of the roof. The concern is that this will encourage flat roofed houses on streets where the typical house has a sloped roof. The applicable height limit and restriction on the number of storeys both will have impacts as well but the interaction of all these provisions is not clear, especially where the height maps are not available yet.
- The introduction of a new first floor height limit. This was added for houses to deal with the new issue of an additional floor being inadvertently permitted in new houses. The limit is proposed to be 1.4 m. but the normal first floor height varies across the City and in older areas is generally is 1 m. or less and here 1.4 is too high. This new limit also conflicts with the inclusion of an integral garage. A solution to this problem is proposed as a Buildings Department interpretation that says that the “first floor” can just be a small vestibule inside the front door. This interpretation does not make sense. A simpler way to address the issue is needed.

Recommendations:

- **Exclude accessory buildings from lot coverage for houses in residential districts and reduce the proposed lot coverage permission accordingly.**

- **Improve the wording of the provision to measure height at the mid point of a sloping roof for houses in residential districts to eliminate inappropriate interpretations.**
- **Reconsider the proposed first floor height limit for houses in residential districts.**
- **Consider the potential impacts of Committee of Adjustment variances on the proposed new provisions.**
- **Ensure new definitions and provisions are clear and can stand on their own without requiring Building's interpretations.**

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