

## Glossary of Terms

The Development Guide contains a number of “standard” words and phrases throughout the document. The following is a list of some of those terms together with an explanation of their meaning, which will help you interpret the Development Guide. Please note that Appendices 3 and 4 contain the definitions and descriptions of the reports/studies, plans and drawings you will need to submit with your application.

**Assumption of Services:** After all construction is completed and all pre-existing sewers and roads have been returned to their original condition to the satisfaction of the Commissioner of Works & Emergency Services (including the necessary Certificates), City staff report to Community Council and recommend that the City assume responsibility for any new roads and sewers.

**Building Inspection:** Building inspectors review buildings under construction during key stages of construction to ensure work complies both with the Ontario Building Code and with the approved building plans.

**Building Permit:** A building permit is the formal permission to begin construction or demolition. It means the City of Toronto has approved plans for any new structure, addition or renovation. Approved plans must comply with the Ontario Building Code, local Zoning By-laws and other applicable laws and regulations.

**Building Regulation Consultant:** A Building Regulation Consultant is stationed at the Customer Service counter in each of the four District offices to provide advice regarding building permit applications, inspections, the City of Toronto Zoning By-law(s) and other relevant legislation.

**“Bumped Up” Site Plan Control Applications:** Approval authority for Site Plan Control applications has been delegated to the Chief Planner or his/her designates by City Council. However, City Councillors retain the right to request that any individual application be reported to City Council for its decision. These are termed “bumped-up” applications.

**Certificate of Consent:** A certificate issued by the Deputy-Secretary Treasurers of the Committee of Adjustment stating that the City has approved a Consent for Severance. The certificate includes details such as the date of the Committee’s decision, the nature of the application and a legal description of the lands that were the subject of the Consent. The certificate is conclusive evidence that any conditions of approval have been satisfied and that all provisions of the *Planning Act* relating to the granting of the Consent have been complied with.

**Combined Applications:** The following applications may be made individually or combined with one or more of the other applications:

- Application to amend the Official Plan
- Application to amend the Zoning By-law
- Application for a Plan of Subdivision

- Application for Site Plan Control approval

When submitted together, these are called Combined Applications and the review of these applications is conducted concurrently.

**Committee of Adjustment:** The *Planning Act* grants authority to committees appointed by Municipal Councils to approve a number of minor applications. Called Committees of Adjustment, these bodies are empowered to make decisions on:

- Minor Variances from the Zoning By-law
- Permission to alter or change a lawful non-conforming use of land
- Consent (consent means “approval”) to sever land (divide a parcel of land into more than one lot)
- Consent to register a mortgage over part of a property
- Consent to register a lease over part of a lot for more than 21 years
- Consent to delete an easement or right-of-way from the property title
- Validation of land title where an error exists in the description of land

Toronto City Council has appointed a Committee of Adjustment consisting of citizen members. The Committee of Adjustment operates as four panels, corresponding to the service areas of the Community Councils. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for Minor Variances, permission and Consents.

**Community Consultation Meeting:** Although not required by the *Planning Act*, a community consultation meeting may be held regarding some applications. The meetings are usually organized by Planning staff and generally attended by the Ward Councillor and any interested parties from the local community. The meeting provides staff an opportunity to outline the planning process to the local community and for the applicant to publicly present the proposal. It also provides the local community an opportunity to comment on the proposal.

**Community Council:** Community Councils are committees of Council comprised of the Councillors representing geographic areas of the City. The responsibilities of Community Councils generally include making recommendations to City Council on local planning and development matters, as well as neighbourhood matters including traffic plans, parking regulations and exemptions to certain City By-laws (i.e., sign, fence, ravine and tree By-laws).

**Community Services and Facilities:** Community Services and Facilities consist of community and recreation centres, arenas, community health clinics, community gardens and publicly funded schools and libraries, located across the City and within individual neighbourhoods.

**Complete Application:** An application will be considered to be complete if it is accompanied by the required information identified in this Guide and through pre-application consultation discussions. In order to qualify for the STAR process, an applicant must submit a complete application.

**Compulsory Requirements:** The *Planning Act* provides for minimum application requirements which can be found on the Province of Ontario website ([www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)). In order to qualify for the STAR process, there are base requirements for the majority of applications that are identified as Compulsory Requirements. In addition, Other Possible Requirements have been identified which are dependent upon the specifics of the application. The requirements for each application type are outlined in the respective sections of the Development Guide.

**Condominium Act:** The Province of Ontario established rules and regulations in the *Condominium Act* regarding the creation and operation of a condominium corporation.

## Condominium Corporation Types:

- **Common elements condominium:** These are condominiums that consist only of common elements, but no units. For example, homes could be on separate pieces of land, with facilities such as a golf course or recreational centre as the common elements condominium.
- **Freehold condominium:** In these condominiums, all the units and their appurtenant common interests are held in fee simple by the owners/purchaser.
- **Leasehold condominium:** These are units built on land that is leased by the developer, purchasers will never own the land. They buy a leasehold interest in the unit and common elements for a fixed number of years. This interest can be sold.
- **Phased condominium:** The *Condominium Act* provides that units and common elements can be added in stages, over a maximum 10-year period, as part of one condominium corporation.
- **Standard condominium:** These condominiums are freehold condominiums that are not a common elements condominium or a vacant land condominium.
- **Vacant land condominium:** Under this type of condominium corporation, the units can consist of vacant land, upon which, following registration, owners can decide later what to build. This may be suitable for a mobile home development, for example.

**Consent for Severance:** The City of Toronto must grant consent for the following types of land transactions:

- divide land (sever) into new lots, and/or
- add land to an abutting lot (lot additions, lot adjustments, lot extensions, corrections to deeds or property descriptions), and/or
- establish easements or rights-of-way, and/or
- lease land or register a mortgage in excess of 21 years

City Council has delegated the approval authority for the creation of new lots to the Committee of Adjustment. Approval authority for all other types of Consents has been delegated to the Deputy-Secretary Treasurers of the Committee.

**Draft Approval:** Plans of Subdivision and Plans of Condominium have a two-stage approval process: “Draft approval” is an initial approval subject to a number of conditions; generally relating to providing or relocating services, posting letters of credit, and so on. Once draft

approval has been obtained, an applicant can begin to satisfy any conditions in order to proceed to final approval by the City, and subsequent registration of the plan.

**External Agencies:** Agencies, boards and commissions that are not part of the City of Toronto and which are consulted by the City on development applications, as required. See Appendix 5 for a full list of these external agencies.

**Final Report to Community Council:** The Final Report prepared by Planning staff for Community Council that contains recommendations on an application.

**Legal Non-Conforming Use:** A legal non-conforming use exists when the zoning for the site does not permit its current use, but this use was permitted and in existence prior to the enactment of the current Zoning By-law.

**Minor Variance:** Small changes or exceptions to existing land use or development restrictions contained in the Zoning By-law are called Minor Variances. Variances are obtained by making an application to the Committee of Adjustment. Larger changes to the Zoning By-law require a Zoning By-law Amendment. Advice as to whether the proposal may be considered minor, and thus dealt with by the Committee of Adjustment, is provided by Planning staff.

**Official Plan:** The *Planning Act* requires each municipality in Ontario to have an Official Plan. The Official Plan is a legal document approved by City Council that describes policies and objectives for future land uses. The Official Plan is prepared in consultation with City residents and reflects a community vision for future change and development. The Official Plan is a blueprint for how the City will grow over the next 30 years. It describes the location for new housing, industry, parks, office and retail areas, community services and other land uses. The Official Plan also establishes policies for the built environment, for improvements to the City's hard services (such as transit, roads, sewers, etc.) and for the protection of the City's natural environment.

**Official Plan Amendment:** If you wish to use, alter or develop your property in a way that does not conform with the Official Plan, you must apply for a site specific Official Plan Amendment. Any change to the Official Plan requires an Official Plan Amendment application.

**Ontario Municipal Board:** One of the functions of the Ontario Municipal Board is to hear appeals from planning decisions of City Council and the Committee of Adjustment. It is an independent and impartial adjudicative tribunal. It is made up of a Chair, Vice-Chairs and Members. The Ontario Government appoints all Board Members who have diverse backgrounds and come from different parts of the province. For more information, see the Ontario Municipal Board website ([www.omb.gov.on.ca](http://www.omb.gov.on.ca)).

**Part Lot Control:** The *Planning Act* provides that where land is within a plan of subdivision no person shall convey, grant, assign or exercise a power of appointment, mortgage, enter into an agreement of purchase and sale, or enter into any agreement that has the effect of granting the use of or right in for a period twenty one years or more respecting a part of any lot or block.

**Part Lot Control Exemption:** The *Planning Act* grants the City the authority to pass a By-law to exempt lands within a plan of subdivision from the Part Lot Control provisions of the Act. This process is used to lift Part Lot Control restrictions from lands within registered plans of subdivision to create parcels for sale. It typically is used in townhouse developments after construction has commenced to accurately set the boundary lines between the townhouse units. The Part Lot Control By-law will typically be in place for a fixed period of time, after which the By-law will expire and the Part Lot Control provisions of the *Planning Act* come into force and effect. Part Lot Control Exemption applications are an alternative form of land division to Plans of Subdivision and Consents.

**Plan of Condominium:** The *Condominium Act* grants the City the authority to regulate the division of land and/or buildings through Plans of Condominium. This authority is used to regulate the division of land and/or buildings into parcels or units that may be sold as part of a condominium corporation. It is also used to ensure that the rights of future owners are protected and that any interests/obligations in favour of the City are transferred to future owners.

**Plan of Subdivision:** The *Planning Act* grants the City the authority to regulate the division of land through Plans of Subdivision. This authority is used to provide for the orderly servicing and development of large parcels of land in accordance with appropriate municipal regulations and standards. Plans of Subdivision will typically include information on new municipal infrastructure (i.e., water and sewer servicing and new roads), lot and block patterns and any park and/or school sites. Plans of Subdivision are also typically used to create public rights-of-way for municipal services.

**Planning Act:** The Province of Ontario sets out rules and regulations in the *Planning Act* which describe how planning processes should be dealt with, how land uses may be controlled and by whom. The *Planning Act* gives the City the power to create Official Plans and Zoning By-laws which in turn provide direction to the various officials, staff members and other authorities involved in the planning and development decision making process.

**Planning and Transportation Committee:** This Committee is one of the Standing Committees of City Council and is responsible for the following:

- the Official Plan and city-wide planning policy and research
- City-initiated and privately-initiated planning applications having City-wide interest
- transportation policies and plans
- building permit policies
- changes to key infrastructure, transportation, public transit and open space systems and publicly-owned lands affecting the entire City of Toronto

**Planning Consultant:** A Planning Consultant is stationed at the Customer Service counter in each of the four District offices to provide advice and direction on development services and to undertake an initial review of all planning applications.

**Pre-Application Consultation:** A formal consultation held before the submission of an application, typically in the form of a meeting arranged through a Planner. This meeting may

involve staff from a number of departments and identifies issues of concern and concurrence, guides the content of the application submission (reports, studies, drawings, etc.) and identifies the need for any further applications or approvals.

**Pre-Application Applicable Law (PAL) Review:** The PAL Review is a detailed review of a proposal intended for a future building permit application to determine zoning compliance and compliance with all other applicable law required for the issuance of a building permit.

**Preliminary Project Review:** A Preliminary Project Review is a one time examination of plans for a proposed development by Building division staff. It will identify any features of the proposal that do not comply with the Zoning By-law. A Preliminary Project Review application can be made with the Building division at any District Customer Services office.

**Preliminary Report to Community Council:** Within two meeting cycles of submission, all Official Plan and Zoning By-law Amendment applications are presented to Community Council for review and direction through a Preliminary Report. This report provides an early opportunity to raise and discuss any issues of concern, recommends direction on the extent of community consultation and indicates the expected timing for a final report to City Council.

**Public Meeting:** The *Planning Act* requires the City to hold a Public Meeting to consider all applications for amendments to the Official Plan or Zoning By-laws and Plans of Subdivision. This responsibility has been assigned to the four Community Councils and, in instances where there is City-wide significance, the Planning and Transportation Committee. Sometimes referred to as the statutory public meeting to distinguish it from optional consultations which are held in the local community, this takes place at the Community Council meeting where the final staff report on the application is considered.

The purpose of the Public Meeting is to consider the staff report and provide a public forum for debate on the merits of the application. Applicants have the opportunity to present their proposal, the public can write in or attend to make their views known and Community Council has the ability to evaluate the application.

**Ravine Protection By-law:** Ravine By-laws are passed by City Council and describe land use and development restrictions related to land within and surrounding ravines.

**Reference Plan:** A plan deposited under Section 150 of the *Land Titles Act* or Sections 80 or 81 of the *Registry Act*. It shows the boundaries of the parcel of land, the location of easements and can be used to describe the pieces of land forming part of a severance application (shown as Parts on the Reference Plan). The Reference Plan is a convenient tool used to describe the land, it does not create any easements or severances. Once deposited in the land registry office it is given a numerical designation. Prepared by an Ontario Land Surveyor, it must meet the requirements of the *Registry Act*.

**Rezoning:** If you wish to use, alter or develop your property in a way that does not conform with the Zoning By-law, you must apply for a site-specific amendment to the By-law. You can do this through either a Zoning By-law Amendment application (commonly called a Rezoning) or a

Minor Variance application. Rezoning applications are used for major revisions to the By-law such as land use changes or significant increases in permitted building heights and development densities. Minor Variances are used for issues such as small changes to building setback or parking requirements.

**Section 37 of the *Planning Act*:** Section 37 of the *Planning Act* allows the City, through a rezoning, to grant additional height and/or density beyond what is otherwise permitted in the Zoning By-law in return for facilities, services or matters provided by the owner and referred to as community benefits. If community benefits are appropriate, they are secured through an agreement registered on title.

**Site Plan Control:** Site Plan Control is a process that examines the design and technical aspects of a proposed development to ensure it is attractive and compatible with the surrounding area and contributes to the economic, social and environmental vitality of the City. Features such as building designs, site access and servicing, waste storage, parking, loading and landscaping are reviewed. The authority for the City to review a proposed development in such detail is provided by the *Planning Act*, which grants the City the authority to include in its Official Plan areas to be designated as “areas of Site Plan Control”.

**STAR:** Stands for “Streamlining The Application Review” process. The process establishes criteria for the streaming of most planning applications and sets target timelines for their resolution. The STAR process establishes clear service level expectations, a co-ordinated approach to reviewing applications and clearly defined roles and lines of communication for City staff. The goal of STAR is to provide a faster, more efficient review of applications.

The STAR process applies to the most significant planning applications such as Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision and Condominium, Site Plan Control applications and Part Lot Control Exemption applications.

## **STAR Application Streams:**

Under the STAR process, planning applications are categorized into four streams:

- **Complex** - applications that typically involve large developments with significant community impact and/or multiple approval processes and usually require reporting to City Council. These would include Official Plan and Zoning By-law Amendment applications, Plans of Subdivision, larger Site Plan Control applications and applications involving the conversion of existing rental housing to condominium.
- **Routine** – applications that are typically smaller in scope and have issues that are not highly complex or controversial. These would include Plans of Condominium for new condominiums and certain Site Plan Control applications.
- **Quick** – applications that require limited circulation for comment and generally require standard approval conditions. These would include the remaining Site Plan Control

applications, amendments to Site Plan Control Agreements and Part Lot Control Exemption applications.

- **Unacceptable** – applications that do not comply with the basic policy and land use principles of the City’s Official Plan. These would include applications to convert lands in the City’s Employment Districts into residential land uses.

### Target Timelines for STAR Applications:

- Complex 9 months
- Routine 4 months
- Quick 3 months
- Unacceptable 2 months

Please note that each planning application is different by virtue of the specifics of the property, its location, the nature of the development and many other factors. Applications may be resolved in more or less time depending on the combination of these factors.

**Zoning By-law:** The Zoning By-law is the legal document that implements the policies and objectives described in the Official Plan. The Zoning By-law regulates the use and development of buildings and land by stating exactly what types of land uses are permitted in various geographic areas and by establishing precise development standards for lot size and frontage, building setbacks, the height and built form of structures, the number and dimensions of parking and loading spaces, requirements for open space, etc. The *Planning Act* grants the City the authority to implement land use controls through Zoning By-laws.

**Zoning By-law Amendment:** See the definition for Rezoning.