

Authority Planning and Growth Management Committee Item 40.8,
 as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1061-2010

To amend City of Toronto Municipal Code Chapter 363, Construction and Demolition, with respect to certain technical and fee schedule amendments.

Whereas it is desirable to introduce necessary technical and administrative amendments related to changes in the *Building Code Act, 1992* introduced in the *Good Government Act, 2009*, with respect to "complete" applications, scheduled to take effect on January 1, 2011;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 363, Construction and Demolition, of The City of Toronto Municipal Code, is amended as follows:

- A. In § 363-1A by deleting the words "PRE-APPLICATION APPLICABLE LAW REVIEW — A detailed review of a proposal intended for an application for a permit to construct or demolish under section 8 of the Act to determine its compliance with all applicable law as defined in Section 1.1.3.3. of the Building Code." and replacing it with the words:

"ZONING CERTIFICATE — A document issued by the Chief Building Official after a detailed review of a proposal intended for application for a permit to construct or demolish under section 8 of the Act to determine its compliance with zoning and identifying all applicable law related to the proposal as defined in Section 1.1.3.3 of the Building Code."

- B. In § 363-3.1 by deleting the heading "**Declaration of completion; application information**" and replacing it with the heading "**Required information to accompany an application.**"

- C. In § 363-3.1A by deleting the words "Every permit application shall include a completed declaration, as set out in Schedule C to this article at the end of this chapter, that either the application is a complete application or is not a complete application." and replacing them with the words:

"Every permit application shall include a Zoning Certificate."

- D. In § 363-3.1B by deleting the words "A permit application that has been declared by the applicant to be complete under Subsection A shall" and replacing them with the words:

"A permit application, in addition to a Zoning Certificate, shall:"

- E. In § 363-3.1C by deleting the words "A permit application that has been declared by the applicant to be not complete under Subsection A shall" and replacing them with the words:
- "A permit application filed without a Zoning Certificate shall be an incomplete application, but processing may commence provided it includes information that shall:"
- F. In § 363-6C by deleting the section in its entirety and replacing it with the words:
- "The fee for a Zoning Certificate shall be 25 per cent of the total permit fee applicable to a proposal as calculated in accordance with Schedule A to this article, at the end of this chapter, provided that for each additional review required prior to the issuance of a Zoning Certificate the applicant shall pay an additional fee equal to 10 per cent of the total permit fee applicable."
- G. In § 363-6D by deleting the words "pre-application applicable law review" and replacing them with the words "Zoning Certificate".
- H. In § 363-10.1 by deleting the heading "**Pre-application request for applicable law review**" and replacing it with the heading "**Request for Zoning Certificate**".
- I. In § 363-10.1A by deleting the words "pre-application applicable law review" and replacing them with the words "Zoning Certificate".
- J. In § 363-10.1B by deleting the words "pre-application applicable law review" and replacing them with the words "Zoning Certificate".
- K. In § 363-10.1C by deleting the words "pre-application applicable law review" and replacing them with the words "Zoning Certificate".
- L. In § 363-10.1C(1) by deleting the words "A notice of applicable law compliance stating that the proposal complies with all applicable law in Sentence 1.4.1.3(1) of Division A, Part, of the Building code; or" and replacing them with the words "Zoning Certificate".
- M. In § 363-10.1C(2) by deleting the words "An examiner's notice identifying in detail areas of non-compliance and additional information that is required to determine compliance with applicable law" and replacing them with the words "An examiner's notice identifying in detail any required additional information that the Chief Building Official deems necessary to complete the review required to issue a Zoning Certificate."
- N. In § 363-10.1D by inserting the "Zoning Certificate or" before the word "notice".

- O. In § 363-10.1E by deleting the entire subsection and replacing it with the following:

"If a notice is given under Subsection C(2) requiring additional information or if the owner submits additional information requiring additional review or re-examination of a proposal for a Zoning Certificate in addition to the fee provided in Section B the applicant shall pay an additional fee equal to 10 percent of the calculated permit fees."

- P. In § 363-10.1G by deleting the entire subsection and replacing them with the words "If substantial changes are made to a proposal after a Zoning Certificate review has been completed, a new request for a Zoning Certificate must be made which shall be accompanied by the full fees in accordance with Subsection B.

2. This by-law comes into force on the first day of January, 2011.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)