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To: <pgmc@toronto.ca>  
CC: "'Paula Tenuta'" <ptenuta@bildgta.ca>, "'Danielle Chin'"  
<dchin@bildgta....  
Date: 4/20/2011 11:30 AM  
Subject: Harmonized Zoning By-Law

Dear Merle MacDonald,

We have followed, with great interest, the matters surrounding the new harmonized zoning by-law. We felt it would be dismissive of us not to raise these matters with you at this critical time.

Our issue has a few folds to it, which I will list below.

First, the City does not honour a completed PAL review as they say it's not part of the permit process (even though they bill 25% of the permit fee for it, accept drawings and provide an official review document). We got caught with a project that had a clean and complete PAL, which then at permit application stage was snagged by the new by-law. It cost us thousands in lost design time, minor variance fees and representation time, and subsequent permit amendments. It also cost our crews work (as we had to postpone the project) and a relationship with a client. We could not recoup these costs from our client and it soured the project before we even began on site.

The second issue surrounds the double review of the 'old' bylaw and the 'new' harmonized bylaw. The city should only be reviewing one bylaw at a time, the one which is legally in force. Since the harmonized bylaw was up for appeal to the OMB, it should not be considered to be in force. It should follow the same rules as an OP in that regard. If it is under appeal, it cannot be considered to be in-force. The fact there were designated "black holes" in the new by-law is a perfect indication it was not ready to be rolled out and put in force, but rather "pushed through" prematurely.

The third issue is the timeframe required to complete zoning reviews. Numerous major cities across Ontario perform them within 1 day; others take

as long as 5 days. North York specifically takes more than 8 weeks to review zoning. Provincial legislation states a 10 day turn around for applications. No one is held to account, while phone call and email follow ups on status of applications are not returned as the examiners are overburdened reviewing 2 bylaws for each and every project. Toronto is becoming the city to avoid when looking to earn a living in the building business. Not the best statement to have to make as the GTA's Renovator of the Year - when municipalities North of Steeles can create an improved arena for contractors to earn a living and serve its home owners.

Lastly, we feel the new harmonized zoning by-law has achieved the opposite of what it should have done. It has not recognized the way homeowners live in their homes today, nor the matters which the Committee are required to hear for small technical variances when doing a simple porch restoration project with an identical footprint to the existing. The failure to recognize the regular sized additions, restorations to existing structures and architectural trends based on homeowner demands has caused a massive glut in the Committee meetings. The result is a current lead time of 4 months to get a hearing date at C of A in the downtown district. This creates a 5 to 6 month permit turnaround from date of application for a very simple repair to a structure which is legal non-conforming. The introduction of the new by-law is an opportunity to reduce the number of "rubber stamp" technical variances required for simple projects that should not require the review of the Committee officials.

Thank you for taking the time to listen to our concerns, we hope they help to enlighten you on the challenges that we the small business owners are facing when attempting to do business in the City of Toronto. If the process were more streamlined, with more realistic timeframes for approvals (which were adhered to) and timeframes the consumer/architect/contractor could anticipate with accuracy and be able to rely on - there would be many fewer projects going underground, being performed without permits. It would also

help drive the local economy, which at its current state is fragile at best.

Should you wish to speak with me personally about the issues raised above,  
feel free to contact me at the coordinates listed below. Thank you again for  
your time in hearing our concerns.

Respectfully,

Brendan G. Charters, B.Sc. (hons).

Development Manager

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