

CORRA

Confederation of Resident & Ratepayer
Associations in Toronto

April 1st, 2013

**To: Mayor Ford and City Council
City of Toronto**

Ms. Marilyn Toft, City Clerk
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

By e-mail: clerk@toronto.ca

**From: William H. Roberts, BA, LLB
Chair of CORRA**

CITY CLERK'S OFFICE
 SECRETARIAL SECTION
 * 2013 APR - 2 P 2: 26

Dear Mayor Ford and Member of City Council:

RE: New City-wide Zoning By-law—PG21.1

It remains the position of the Confederation of Resident and Ratepayer Associations in Toronto (CORRA) that it is cautiously optimistic with the Proposed New City-wide Zoning By-law, insofar as it is an improvement over the previous one introduced in 2010; however how the proposed By-law is being applied in specific neighbourhoods remains a matter of concern.

Based on recent CORRA meetings with various groups over the last while, it continues to be the case that some of our groups have found omissions of provisions in the (x) category that should apply to their area. Other groups have found provisions in the (x) that have introduced requirements that did not previously apply and appear to be different or for a different area. Yet other groups are still having trouble using the interactive maps.

In addition many of the groups were unaware of some of the changes since the earlier versions of the by-law. In our discussions with those groups it appears that they concur that certain provision in the general by-law introduce concepts which are not appropriate for the character of a given area.

While we have had a brief discussion with planning staff following the release of the November 8, 2013 version, it remains our position that we need to have principled

discussions with Staff to understand fully their position and to provide them with our position. This applies to concerns that are unique to resident and ratepayer groups as well.

It remains CORRA's position that the proposed zoning by-law proceed **PROVIDED** CORRA and our member groups have an opportunity to meet with planning staff to attempt to clarify or resolve the impacts of the general by-law and the specific restrictions and or permissions set out in the (x)s affecting their areas.

CORRA reserves the right to object should issues not be resolved.

CORRA wishes to go on the record as specifically objecting to the proposed changes suggested by the Ontario Association of Architects as set out by the Ontario Association Taskforce Group for the City-wide Zoning By-law.

RECOMMENDATION:

That staff be directed to meet with CORRA and other affected ratepayer and resident groups to consider their issues and determine a resolution prior to the final adoption of the by-law, and we ask that sufficient time be given before the adoption to allow this to occur.

Based on prior experiences we trust that a principled discussion will result in critical revisions being incorporated as appropriate into the general or specific provisions of the by-law.

Please keep us informed of any meetings, updates and amendments with respect to the New City-wide Zoning By-law.

We reiterate the concerns and issues raised in our comments to them on the 27th of February, 2013 and partially repeated in our March letter to Planning & Growth Management which are attached.

Yours truly,

William H. Roberts

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Encls. CORRA Attachment

CORRA ATTACHMENT:

This schedule of issues is done only to show some of the points of concern and is not meant to be exhaustive. There are also issues related to the definitions and changes in the wording of various provision from the earlier June version that are problematic. Additional commentary is *italicized* and shown in square brackets [].

1. EXEMPTION FOR MECHANICALS IN ROOF/ATTIC:

The proposed by-law contains a proposal for 20SM in the attic to be exempted from FSI and the 'storey' requirements of the By-law. See 10.20.40.40(2) and 10.20.40. (8). Effectively you can have a 20 SM box regardless of the size of the building.

Under City of Toronto Zoning By-law 438-86, there is an exemption of 10SM within an attic for FSI calculation. For houses in the 100 SM range, this should be more than enough.

Issue: A builder can label an area in the attic for mechanical purposes for the building permit and then go to the Committee of Adjustment for a variance to convert the mechanical space into habitable space.

[Several ratepayer groups including those in North York have indicated this proposal is problematic for them based on their current experiences.]

Possible solution: This loophole is not related to the size of smaller homes. A maximum of 20 SM may make sense for homes in excess of 200 SM but not for smaller homes. For most smaller homes the 10 SM is sufficient.

2. BUILDING ABOUT THE SECOND FLOOR ON EXISTING WALLS:

The former City of Toronto By-law 438-86 allowed for vertical additions to be built above the first floor in line with existing walls even if the first floor walls were closer to the lot lines than permitted. The provision was limited to a second floor addition only and was designed to encourage second floor additions to bungalows rather than rear additions.

Issue: Regulation 10.5.40.71(3) allows for additions on existing walls but with no limit as to the number of floors. This will prove problematic in many areas of the former City of Toronto where the side walls are very close to the side lot line and the added permission for flat roofs.

Possible solution: Limit the addition to second floors only as was the case in 438-86.

3. CLADDING:

10.5.40.60(4) allows cladding to be placed on the original exterior surface of the main wall.

Issue: The original provision in City of Toronto Zoning By-law 438-86 only permitted cladding for houses predating October 17, 1988. The new provision has no similar limit. A builder could get a variance for an existing wall of a relatively new building and then add the cladding on the basis that the wall is an original wall even though it may only been recently completed.

Possible solution: Reintroduce an appropriate date for the original wall. Alternatively introduce as elsewhere in this by-law a requirement that the original wall and any additions must be at least 5 years old.

4. EXEMPTION OF SECOND PARKING SPACE

Regulation 10.5.40.40 (3)(C) adds an additional exemption for lots with frontages greater than 12m for a second parking space from floor space index.

Issue: The former City of Toronto by-laws only exempted the first space regardless of the frontage of the lot. There are many lots in Forest Hill, North Toronto, Swansea and the Beach that have lots with frontages equal to or greater than 12m.

Possible solution: At a minimum this permission should not apply to lots in the City of Toronto.

[It should be noted that in regard to rear additions being allowed to go to 0.69 in 0.6 RD areas of Toronto, it was decided to create an exception to the RD areas of the City of Toronto for this provision rather than introducing the same across the City. Similarly the exception for the second parking space should be limited to areas where it previously existed and not introduced City-wide.]