

## Toronto's New Harmonized Zoning By-law – what you need to know

### Impacts on land use permissions and land value

The City of Toronto's proposed new zoning by-law is anticipated to be approved by City Council as early as July 2010. To understand how the new zoning will impact lands that you own or lease in Toronto, we recommend that the in-force zoning permissions currently applicable to your lands be compared to the proposed new zoning provisions.

Any changes to the list of permitted uses, maximum densities, height limits and other performance standards will all affect redevelopment opportunities and directly impact the value of your lands.

Some key points that you may want to take into consideration, whether or not you are seeking to develop or redevelop land, are as follows:

- > City Staff are not undertaking a comprehensive review of how the new zoning impacts each parcel of land in Toronto. The onus is on the land owners to stay informed and get involved;
- > Any land owner who fails to express concerns or issues with the proposed new zoning prior to City Council passing the new zoning by-law will not be able to maintain an appeal of the new zoning by-law and risks not being added as a party to an appeal at the Ontario Municipal Board;
- > Development permissions secured through minor variances are not being captured in the current draft of the new zoning by-law; and
- > During the time that the new zoning is under appeal to the Ontario Municipal Board, the Chief Building Official is likely to treat the new zoning, as passed by City Council, as "applicable law" when considering the issuance of building permits where the new zoning is more restrictive than the existing zoning.

### How Stikeman Elliott can help

Stikeman Elliott's municipal and land use planning team would be pleased to talk to you about the proposed by-law changes and how you can become informed and involved.

Our team can assist you with:

- > understanding existing zoning and development permissions (as set out in an existing zoning by-law, site-specific zoning by-law amendments and/or minor variances) relative to the new zoning by-law permissions proposed by the City;
- > evaluating the extent to which existing development rights and opportunities for buildings, structures and land in Toronto will be impacted;

This newsletter was prepared by members of the Real Estate and Municipal Group at Stikeman Elliott.

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- > negotiating changes to the new zoning by-law to protect your property interests at all stages of the new zoning by-law's municipal public consultation and approval processes;
- > safeguarding your appeal rights and advocating your property interests at the Ontario Municipal Board or the courts, if necessary.

For your reference, the proposed new zoning by-law can be accessed through the following link:  
[http://www.toronto.ca/zoning/bylaw/ZBL\\_NewProvision\\_Chapter1.htm](http://www.toronto.ca/zoning/bylaw/ZBL_NewProvision_Chapter1.htm)

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