

Hi All,

You may or not be aware of it, or you may not be concerned, but FYI, the City of Toronto is now holding public consultations on its new proposed zoning bylaw. This will affect home-based holistic practitioners. Attached is a 3-page condensation of the parts of the bylaw that will affect home-based practices, as far as I can tell. Please let me know if I've missed anything that should be included. The link to the full bylaw text is at the beginning of the document, or you can just go to the City's website: www.toronto.ca/zoning/ and follow the links from there.

It appears that holistic practitioners are able to practice out of their homes. I don't think there will be anything onerous with regards to this, in the bylaw, though there is a line early on that says, to paraphrase, if it's not listed here, you can't do it. This is subject to such broad interpretation that it leaves the City free to make arbitrary and unfair decisions about virtually anything.

Don Reid, tireless governmental liaison with the RRCO (Reflexology Council), has been instrumental in having Holistic home-based practices included in the bylaws of Wasaga Beach, Guelph, and several other municipalities around the province. We all owe him a large debt of gratitude for his efforts.

Also on the website is the schedule of public consultations should you wish to attend any. Don Reid (RRCO) and I are attending tonight's meeting at the North Toronto Community Centre at 200 Eglinton Ave. West.

If you belong to a Holistic Association, would you please forward this to your Board of Directors so that they can decide what action to take, if any. Sending it to holistic practitioners of modalities other than your own will ensure that this information gets around. I strongly urge your participation, because it is much easier to change things beforehand than afterwards.

Peace and Health,
David Pinto, IMT, RPP, BCST
Integrative Manual Therapy
Polarity Therapy
Biodynamic Craniosacral Therapy
416-488-2024

Toronto Zoning By-law: Draft

For full text go to:

http://www.toronto.ca/zoning/bylaw/ZBL_NewProvision_Chapter1.htm#1.20.2

The excerpts below are what I could find that seem to relate to home based practices for Holistic Practitioners in the amalgamated City of Toronto.--David Pinto.

How does the draft new zoning by-law deal with properties that will not comply with the new zoning by-laws once enacted?

A. The draft new zoning by-law will include a number of provisions that deem properties and their existing buildings, in compliance with the performance standards in the draft new zoning by-law, essentially "grandfathering" such properties. Also, in cases where a property contains a use that is currently lawful under the existing zoning by-laws but that will not be permitted under the draft new zoning by-law, the Planning Act will operate to protect that use as a legal non-conforming use. Nothing in the draft new zoning by-law is meant to curtail these rights.

When will the draft new zoning by-law to come into effect?

A. A report summarizing the comments received during the consultation period will be submitted to the Planning and Growth Management committee scheduled for October 7, 2009. A statutory public meeting will be held in November with the recommendations of the Planning and Growth Management committee being sent to the City Council meeting scheduled for November 30 to December 1, 2009.

| Next Steps | |
|-------------------|--|
| April 14 | Staff Report on Summary and Public Consultation Process adopted as amended by the Planning and Growth Management Committee |
| April 20 | Presentation to City Planning staff |
| May 6 | Staff Report on additional methods to inform the public adopted by the Planning and Growth Management Committee |
| May 26 | Outreach to stakeholder groups |
| May - June | Attend ward meetings requested by City Councillors |
| May - June | Planning staff meets with City Divisions |
| May 27 - June 1 | Two briefing sessions with Councillors and their staff |
| June 2 - July 2 | Eight <u>Open Houses</u> (two per district) |
| June-September | City Planning staff review comments gathered from public consultation and revise the draft by-law |
| October 7 | Staff Report to Planning and Growth Management Committee on results of public consultation |
| October | Statutory Open House |
| October | 20-day notice in newspaper |
| November | Special meeting of Planning and Growth Management Committee |

Interpretation

1.20.1 By-law Structure

(1) By-law Structure and Numbering of Divisions

This By-law is divided into parts using a numeric decimal system as follows:

20. Chapter

20.10 Section

20.10.30 Article

20.10.30.15 Clause

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1.20.2 (20) When Uses Are Not listed

This is a restrictive by-law, so if a use is not listed as permitted, then it is not allowed.

[Does this mean that since HHPs aren't listed as permitted then they are not allowed?]

40.10.20.10 (1)

[This lists the types of places that can exist in a Commercial Residential zone. "Holistic Centre" is on the list. Holistic Practitioner is not.]

150.5 Home Occupations

150.5 (1) Application of Regulations

Every home occupation and every dwelling unit containing a home occupation shall comply with the regulations contained in this Section (150.5).

150.5.20 (5) Home Occupation in an R Zone

Despite 150.5.20 (4), a home occupation in an R zone may include personal services.

150.5.20 (7) Home Occupation - Employees

Unless otherwise stated in this By-law, there shall be no employee working in the dwelling unit other than the business operator that resides in the dwelling unit.

150.5.20 (8) Home Occupation - Employees for a Health Related Service

Despite 150.5.20 (7), where a dwelling unit contains a home occupation that is a health related service provided by:

- (A) a professional regulated under the College of Physicians and Surgeons of Ontario; or
- (B) a professional regulated under the Regulated Health Professions Act, as amended,

there may be one employee working in the dwelling unit in addition to the business operator that resides in the dwelling unit.

[This doesn't apply to HHPs, but I threw it in anyway.]

150.5.20 (9) Home Occupation - Signs

On a lot where a sign is permitted, a sign for a home occupation may only be located on the front wall of the principal building.

150.5.40 (1) Home Occupation - Alteration to building

There shall be no alteration to the exterior of a building to accommodate a home occupation.

150.5.40 (2) Home Occupation - Maximum Interior Floor Area

The maximum floor area occupied or used by a home occupation is the lower of:

- (A) 25% of total interior floor area for the principal building; or
- (B) 100 square metres.

150.5.60 (1) Home Occupation - Ancillary Building

A home occupation is not permitted in an ancillary building or structure.

150.10.40 Building Regulations

(1) Secondary Suite - Age of Building

The whole of the building on a lot, prior to the introduction of the secondary suite, shall be more than 5 years old.

(2) Secondary Suite - Addition or Alteration

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An addition or alteration to a building to accommodate a secondary suite is permitted if:

- (A) the building prior to the addition or alteration is more than 5 years old; and
- (B) it does not alter or add to a main wall or roof that faces a street other than,
 - (i) a porch or a basement extension beneath a porch,
 - (ii) a balcony,
 - (iii) a dormer, if the interior floor area of each dormer does not exceed 2.3 square metres and the total interior floor area of all the dormers does not exceed 9.3 square metres.

(3) Secondary Suite - Interior Floor Area

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The interior floor area of a secondary suite shall be less than the interior floor area of the principal dwelling unit.

[I'm not sure if Article **150.10.40** applies to any of us, but I threw it in anyway, just in case.]