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PROPANE EXPLOSION

## **A silver lining to the zoning mess**

JOHN BARBER

jbarber@globeandmail.com

August 16, 2008

And on the Eighth Day, God created divers sacred runes, causing them to be engraveth on stone tablets, which He called the Zoning Bylaw, and handed down unto the High Priests of the Israelites so that they might guardeth and cherish the engraved tablets as the Immutable Word of His Unutterable Being. And so they did.

But lo, there came unto the Promised Land a terrible propane explosion, and the people cried out to their Priests to reveal the mighty power of the sacred Tablets. But when the Israelites went unto the temple, they saw that the Priests were dead, and the Tablets as dust.

Whereupon they shrugged and turned their attention back to beach volleyball.

And that could result in one of the better outcomes of the explosion - a growing realization that zoning is a powerless, almost meaningless policy instrument that, in Toronto, has become an outright joke. Unfortunately, the tragedy seems to be having the opposite effect, spurring demand for ironclad, God-approved new zoning to be assembled from the crumbling fragments.

It is outrageous that the zoning which permitted a potentially dangerous propane facility near a Downsview neighbourhood is older than the first pipeline out of Alberta. But will updated zoning based on current technology and processes do any better job of forestalling future catastrophes?

The explosion proved that zoning in itself is no guarantee of public safety. For that we need ongoing regulation and inspection backed by real - as opposed to "by-" (i.e. little) - laws. Despite its tortuous attempts to regulate every conceivable form of land use, zoning is beside the point.

If zoning mattered, why are there currently 43 entirely distinct and different zoning systems encased and embalmed within a single city? The ruins of villages and townships that disappeared from reality decades ago live on in zoning. If there were such a thing as a single zoning map of Toronto, which there isn't, it would make plans for the Tower of Babel look like tic-tac-toe.

If zoning mattered, it would be possible to issue building permits without requiring builders to apply for rezoning. But little in Toronto is ever built "as of right," meaning the project fits the zoning. Virtually everything bigger than a birdhouse requires re-zoning. Zoning never catches up to reality.

But that same inadequacy, perversely, ensures the persistence of zoning. Were city planners to abandon the ancient codes, they would lose all leverage over individual development proposals. Permanently out-of-date zoning has become an essential bargaining chip.

That won't change once a crack team of experts finishes the truly Sisyphean task of updating the zoning bylaw, presuming that they ever do. Their purpose is not so much to update antique laws as to translate and publish them in a single language.

Thus, they will tidy up the last big mess left by amalgamation more than a decade ago. The schedule indicates the importance of the job.

Although the result will please ratepayer groups, which still naively regard zoning as holy writ, it won't threaten the status quo by being accurate. It will remain as it is, a mutable shamble of low hurdles offering scant protection against an unknown future, maintained only to trip up the most brazen raiders - and to provide a false sense of security to the last of the true believers.