

## **Intensification of Mixed Use Sites – Development Process**

<b>Date:</b>	March 25, 2008
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Gary Wright, Acting Chief Planner and Executive Director
<b>Wards:</b>	All
<b>Reference Number:</b>	Pg080021

### **SUMMARY**

---

At its meeting on February 13, 2008, Planning and Growth Management Committee (PGM) directed Planning Staff to report to Committee on April 10, 2008, on how applications for residential developments that intensify the neighbourhood are addressed. This report summarizes the policy framework for considering such applications as well as the general process that the City Planning Division uses when reviewing an intensification application.

### **RECOMMENDATIONS**

---

**The City Planning Division recommends that:**

This report be received for information purposes.

#### **Financial Impact**

The recommendations in this report have no financial impact.

## **BACKGROUND**

At its February 13, 2008 meeting, Planning and Growth Management (PGM) Committee considered a communication from Councillor Del Grande, also dated February 13<sup>th</sup>, concerning intensification of mixed use sites in the Scarborough District, in particular several applications for high density residential development in areas where the City's services and local schools are at capacity or strained. The Councillor requested that PGM direct staff to report on how such applications would be dealt with and on the City's ability to address the servicing needs for new high density residential development in intensification (Mixed Use) areas. PGM Committee decided that:

1. the Acting Chief Planner and Executive Director report to the Committee meeting on April 10, 2008, on how intensification applications for residential development that intensifies the neighbourhood are addressed;
2. that an Area Revitalization Review be established for the area, bounded by Finch Avenue East to the south, Birchmount Road to the east, Pharmacy Avenue to the west and McNicoll Avenue to the north, which includes a timeframe.

This report responds to the first report request. With respect to the second report request, Scarborough District Planning Staff are currently identifying the parameters for the study and will subsequently meet with the Ward Councillor prior to initiating the study.

## **COMMENTS**

The City's "tool kit" for assessing intensification applications contains both policies and procedures. Each is discussed below.

The policy framework is set out primarily, but not exclusively, in the City's Official Plan. Other City policies and by-laws are also brought to bear in evaluating any planning application, as are Provincial Policy Statements and Plans (such as the Growth Plan for the Greater Golden Horseshoe).

The City Planning Division must evaluate an application in the context of the legislated parameters of the *Planning Act* (OPA, zoning-by-law amendments) and *City of Toronto Act* (Site Plan). The evaluation process is the same for applications where an applicant seeks to construct only residential uses or a combination of residential/commercial uses.

### **The Policy Framework – the Official Plan**

The Official Plan contains a comprehensive set of policies that must be considered when assessing an application for intensification. Those policies are not confined to the specific development criteria set out in the Mixed Use Land Use designation, but include all applicable policies in the Official Plan. Specifically, in addition to the land uses policies of the Plan, Staff would apply the relevant policies of the Plan relating to:

- Structuring Growth in the City
- The Built Environment (Built Form, Public Realm, Public Art, Heritage)
- The Human Environment (Housing, Parks and Open Spaces and Community Services and Facilities policies)
- Building New Neighbourhoods
- The Natural Environment ( Natural Heritage, Urban Forest, Environmental stresses)

For example, where a development is significant in size, the policies of the Plan relating to the creation of “new neighbourhoods” may be applicable, and these policies speak to matters such as the laying out of streets, blocks and open spaces; integration with and connections to existing neighbourhoods; strategies to ensure adequate social infrastructure and the provision of high quality parks and recreation facilities. In some cases, if the proposal contains large areas of underutilized land, a Secondary Plan may be needed to provide an appropriate planning framework, in which case the policies related to Secondary Plans would be considered. Or, if an area is near the Natural Heritage system, the policies of that section of the Plan would be invoked as part of the evaluation.

As well, in considering increases in density, the Section 37 policies of the plan would be applicable. The implementation policies of the Plan also are germane, and state, among other things, that in “considering development proposals under this Plan, the City will ensure that the intensity and scale of proposed development can be accommodated by the various components of the City’s infrastructure”. The Implementation section also includes a policy that “New development will continue to be reviewed to ensure the adequacy of social and physical infrastructure. Where appropriate, staging or phasing of new development will be provided for where infrastructure improvements are required to service anticipated growth.” In such instances, for example, an approval might be subject to an “H” removal in order to ensure that appropriate infrastructure is available when development occurs or will be available instep with new development.

Since the concerns expressed in the report request relate in particular to intensification within *Mixed Use Areas*, it is useful to outline the full set of development criteria that apply in these specific areas, in addition to all the other criteria and policies of the Plan. In *Mixed Use Areas*, development proposals are evaluated against the criteria, to ensure that the new development will:

- “a) create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) provide for new jobs and homes for Toronto’s growing population on underutilized lands in the *Downtown*, the *Central Waterfront*, *Centres*, *Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;

- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) provide an attractive, comfortable and safe pedestrian environment;
- g) have access to schools, parks, community centres, libraries, and childcare;
- h) take advantage of nearby transit services;
- i) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.”

In the event the Mixed Use Area is located within an *Avenue* for which no *Avenue* Study has been undertaken, the applicant would also be required to complete an *Avenue* Segment Study that will assist in determining if the proposed height and density results in an appropriate building form and scale for the area. If tall buildings are proposed, the Tall Building Policies of the Plan would apply.

While the development criteria set out in the Mixed Use Area policies are clearly relevant, as noted above, other development criteria are contained elsewhere in the Plan, such as in the Built Form and Public Realm sections. These policies in particular focus on aspects of design of building and their relationship to adjacent streets, as well as the design of new streets. They address issues such as massing of buildings in relationship to streets, parks and other buildings; light, view and privacy issues and shadow impacts.

In the event a proposed development does not conform with the policies of the Official Plan, and the applicant is not willing to revise the application to conform to the Plan, an Official Plan Amendment Application would be required.

Depending on the nature and scale of the development application, it might also be appropriate that a local area planning study be undertaken. This could lead, in some instances, to the creation of an Area Specific policy in the Plan or even a Secondary Plan.

The purpose of a local area planning study would be to develop a planning framework to guide development within the study area, identify the type and level of development, identify possible road network improvements, identify required infrastructure, identify community services and facilities and public transit facilities that might be needed and to determine the appropriate mechanisms to implement the proposed development.

The local area study would involve all interested parties including the applicant, members of the public, the Ward Councillor(s), special interest groups and relevant divisions and departments.

Following the completion of the local area study, Planning Staff would prepare a Final Staff Report with its recommendations for the lands within the study area. These recommendations may include changes to the existing land use designation(s), creation of site and area specific OP policies to guide growth, site and area specific zoning provisions. These recommendations may also include urban design guidelines or other recommendations that would facilitate the orderly development of the lands within the study area (for example the use of an “H”).

### **The Policy Framework – Other Council Policy**

Staff would also use all guidelines adopted by Council that assist in the implementation of the Plan, including the Comprehensive set of Urban Design Guidelines adopted as a companion to the new Official Plan, guidelines that pertain to Tall Buildings, Development Infrastructure Policy and Standards (DIPS) and Guidelines for Surface Parking Lots. The Toronto Green Development Standard would also be utilized in assessing an application.

### **The Application Review Process**

In addition to the policy planning framework provided by the Plan and other supporting documents, the City of Toronto has developed a guide entitled “Building Toronto Together – A Development Guide” that outlines the City’s development review processes and the requirements needed when seeking planning approvals from the City. The guide was developed by the City of Toronto Development Review Task Force with input from all City Divisions and departments in the review of planning applications. (It is noted that staff are in the process of developing an amendment to the Official Plan that would make these requirements mandatory under the *Planning Act* and required for an application to be considered “complete”.)

Prior to an application being submitted, applicants are encouraged to pre-consult with Planning staff. During this consultation the planning staff may provide preliminary information and may direct applicants to seek information from other City staff. Following this, a more formal consultation may involve staff from a number of City divisions with the purpose of identifying issues of concern that should guide the applicant in developing the application. Applicants are encouraged to consult with the local Ward Councillor at this preliminary stage.

During these discussions Staff will identify the type of information, plans, drawings and studies that the applicant will be required to submit so that Planning Staff can properly evaluate the development proposal. These plans, drawings and studies are required to identify potential impacts and possible solutions. Staff generally request one or more of the following plans, drawings and studies of the applicant at the time of application submission:

- Appropriate Plans/Drawings;
- Planning Rationale Report;
- Transportation Impact Study;
- Servicing Report, including stormwater management considerations;
- Arborist/Tree Preservation Report;
- Community Services and Facilities Studies for large sites that are inadequately serviced or located in areas experiencing major growth or change;
- Housing Issues Report if seeking to demolish existing rental residential properties, intensify existing rental sites, convert existing rental housing to condominium or proposing a residential development in excess of 5 hectares;
- Section 37 Community Benefits if seeking a significant increase in height or density through a rezoning;
- Pedestrian Level Wind Study if the proposal is for buildings six storeys (20 metres) or greater in height;
- Sun/Shadow Study if the proposal is for buildings six storeys (20 metres) or greater in height;
- Loading Study if the proposal is seeking to amend existing City By-law loading standards;
- Parking Study if the proposal is seeking to amend existing City By-law parking standards;
- Contaminated Site Assessment for any portion of a property to be conveyed to the City for parks, roads or lanes;
- Natural Heritage Impact Study;
- Environmental Impact Study;
- Archaeological Assessment if the property is on the City's database of lands containing archaeological potential; and
- Heritage Impact Statement (Conservation Strategy) if the property is on the City of Toronto's Inventory of Heritage Properties, which includes both listed and designated properties.

As Planning Staff continues its review of the application, additional supporting information may be required of the applicant.

A key part of the Planning process is, of course, community consultation. Feedback received from the public and interested parties, as well as outside agencies all play a part on the review on an application for intensification in a Mixed Use Area.

## **CONCLUSION**

The City's development review "tool kit" is comprehensive. Generally speaking, in areas of known development pressure, a more satisfying development outcome might result if staff and Council can get "ahead of curve" and set the stage in advance of an application, either through a local study, an area specific policy or a zoning by-law review.

Collaboration is preferable to adjudication. When an intensification application is submitted, the City is well positioned to review applications in the context of the Official Plan and its associated documents, as well as the Development Guide – Building Toronto Together.

## **CONTACT**

Kerri A. Voumvakis, Manager Official Plan  
Policy and Research  
City Planning Division  
Tel No: (416) 392-8126  
Fax No: (416) 397-4080  
E-mail: [kvoumva@toronto.ca](mailto:kvoumva@toronto.ca)

## **SIGNATURE**

---

Gary Wright  
Acting Chief Planner and Executive Director  
City Planning Division