

## **Commercial Floorplate Size in New Buildings**

<b>Date:</b>	October 14, 2009
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	All
<b>Reference Number:</b>	Pg090036

### **SUMMARY**

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This report brings forward an Official Plan Amendment to address instances where large stores in new neighbourhoods and on pedestrian shopping strips may take away opportunities for small start-up businesses, and reduce the safety, comfort and amenity of the pedestrian environment.

The proposed policy would allow zoning by-laws to limit the size of new stores as a means to lessen these impacts. The policy would also require that existing stores and other opportunities for new businesses in the area be taken into account when developing size limits.

Consultations on the proposal showed general support for the proposed policy.

### **RECOMMENDATIONS**

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**The Chief Planner and Executive Director, City Planning Division recommends that Council:**

1. Amend the Official Plan substantially in accordance with the draft official plan amendment attached as Attachment 1.
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment as may be required.

#### **Financial Impact**

The recommendations in this report will have no financial implications.

## **DECISION HISTORY**

In September / October 2008 PGM considered a report that responded to Council's July 2007 direction to report on a by-law to implement a maximum floorplate by-law to protect older commercial districts and small businesses in older neighbourhoods. The aim was to retain affordable rental space for small business on these traditional shopping streets.

The report concluded that there is little evidence that the older commercial strips are being affected by large stores, and that regulating the floorplate size would be an inappropriate technique for addressing the issue. No changes to the zoning by-laws were recommended.

When considering this report, the Committee requested the Chief Planner and Executive Director of City Planning to report to the Committee, as soon as possible, on a by-law with thresholds for new development that replicates existing and established floorplate ratios.

<http://www.toronto.ca/legdocs/mmis/2008/pg/decisions/2008-10-14-pg19-dd.pdf>

(PG19.5 at pages 7-8)

On June 4, 2009 Planning and Growth Management Committee considered a report from the Chief Planner that proposed an Official Plan policy to address the previous request. The Committee directed that staff undertake consultation on the proposal and bring it to a public meeting in Fall 2009.

<http://www.toronto.ca/legdocs/mmis/2009/pg/decisions/2009-06-04-pg26-dd.htm>

(Item PG26.6).

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-21319.pdf>

## **ISSUE BACKGROUND**

The staff report before Committee on June 4, 2009 provided the issue background and analysis that led to the current proposal. A brief summary follows.

Small retail commercial spaces provide important opportunities for small business and start-up businesses in the City – an informal incubator role. Such spaces are found throughout the City's retail system, and are usually found on the ground floor of mixed use buildings. They are particularly important on the pedestrian strips of the pre-war City.

In addition, these pedestrian strips often have an important social function as the 'main streets' of the neighbourhoods. They provide a public space where people walk, meet, and converse. Pedestrian amenity and the 'feel' of the strip are important – the strips should be safe, comfortable and familiar.

Large stores in new neighbourhoods and on pedestrian shopping strips may reduce opportunities for small start-up businesses, as well as the safety, comfort and amenity of the pedestrian environment. On the other hand, it is important to recognize the place of larger stores in the City's retail system.

The Official Plan does not address specific quantitative limits on store size. It generally provides flexibility for the retail system to evolve and adapt to changing economic and technological circumstances and provides ample opportunity for new business while meeting the needs of residents and businesses. There may, however, be some circumstances where it is appropriate to give more specific guidance on store sizes and in particular to be able to limit maximum store size:

- in areas where large new neighbourhoods are being developed (e.g. the Railway Lands);
- in areas where the retail character is changing and that change could threaten the character and function of the traditional shopping street (e.g. Queen Street West, where new markets are being attracted and larger stores are moving in); and
- on the pedestrian shopping strips to recognize their social function as meeting places.

## **COMMENTS**

This guidance can best be provided in the context of specific applications or local area studies. Appropriate store sizes should be judged in the evolving local context of the way retail is provided in the area and how the local system is changing. The proposed policy would allow limits to be placed on the size of stores or commercial units in new buildings through the rezoning process, and provides a set of criteria to be used in setting these limits.

## **Consultation**

Staff met with members of BILD (Building Industry and Land Development Association) and staff of TABIA (Toronto Association of BIAs). In addition, a community meeting was held at City Hall on September 29, 2009. The meeting was advertised in the Star and a notice was sent to Community Associations. Three members of the public attended the meeting. Staff will also be attending a meeting of TABIA members in late October.

There is general support for the proposed policy. It is noted, however, that TABIA's Executive Director indicated that large stores can be good for a strip; they show confidence in the strip and bring customers to it, which acts as a draw for other retailers.

## **'Design' solutions**

Stakeholders also pointed out that, depending on the context, the design of new buildings can often address the problems that large stores present for the comfort attractiveness and amenity of the pedestrian environment and highlighted, for example, the solution for a redevelopment proposal at Queen St West and Portland St. that provided for a small scale grade entrance to a large store located on the second floor. As well, blank walls or flat glazed facades can be broken up to replicate the prevailing design of the existing stores on the strip, usually with a distinctive rhythm of narrow facades consisting of a display window and recessed side entrance.

Staff are proposing that the policy include the possibility of such design solutions as a consideration in evaluating the need for limits in store size.

The consultation did not result in any other changes to the proposed policy. Staff, however, are proposing to simplify the proposed policy by deleting two criteria that on further consideration were not pertinent to the policy objective, namely:

- 'commercial floorspace in other proposed developments;'
- 'the ability to provide 'flexible' space so that larger stores may be accommodated through further rezoning if it is reasonable to permit them to meet local needs or ensure the ongoing health of the retail area.'

## **CONTACT**

Peter Moore, Project Manager  
Policy and Research  
Telephone: 416-392-8806  
Fax: 416-392-3821  
Email: [pmoore@toronto.ca](mailto:pmoore@toronto.ca)

## **SIGNATURE**

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Gary Wright  
Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

Attachment 1: Proposed Official Plan Amendment

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## ATTACHMENT 1: PROPOSED OFFICIAL PLAN AMENDMENT

### City of Toronto Official Plan Amendment No. 95

#### **The Official Plan of the City of Toronto is amended as follows:**

Chapter 3, Section 3.5.3, The Future of Retailing, is amended by adding the following new policy 4:

- “4. In order provide local opportunities for small businesses and maintain the safety, comfort and amenity of shopping areas, zoning regulations for ground floor commercial retail uses in new buildings in new neighbourhoods or in Mixed Use Areas along pedestrian shopping strips where most storefronts are located at the streetline, may provide for a maximum store or commercial unit size based on the following considerations:
- a) the prevailing sizes of existing stores and commercial units in the area;
  - b) other indicators of opportunities for small business, such as vacancies in existing stores and commercial units;
  - c) the provision of a range of store and commercial unit sizes to meet the range of local needs including day-to-day convenience shopping and other household goods and services;
  - d) the potential impact of large vacant stores and commercial units at the ground floor level on the safety and comfort of the strip for pedestrians,
  - e) the need for ‘eyes on the street’;
  - f) the rhythm and flow of storefronts on the strip; and
  - g) the potential for the building design, particularly the street façade, to address the safety, comfort and amenity of the shopping area.”