



## STAFF REPORT ACTION REQUIRED

### Draft Official Plan Policies for Implementing a Development Permit System - Outcome of Consultation

<b>Date:</b>	March 26, 2014
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner & Executive Director, City Planning Division
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2014\Cluster B\PLN\PGMC\PG14028

#### **SUMMARY**

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Public consultation meetings were held in March to explain the purpose and intent of the proposed Official Plan policies that will allow for implementation of the Development Permit System. This report provides a summary of the comments and concerns expressed at the meetings together with a staff response.

An updated version of draft Official Plan policies is attached. The report includes an explanation of the changes made to the Official Plan policies and the reasons for these changes. Also included in the report are some suggested criteria for use in prioritizing areas to be selected for implementation of a development permit by-law.

## **RECOMMENDATIONS**

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

1. Planning and Growth Management Committee direct that the proposed Official Plan Amendment that would allow for the implementation of a Development Permit System in the City appended to this report as Attachments 1 be used as the basis for consultation at an open house scheduled for June 9, 2014.
2. Planning and Growth Management Committee direct the Chief Planner and Executive Director City Planning Division to submit a Final Report with a proposed Official Plan Amendment containing policies that would allow for the implementation of a Development Permit System to a statutory Public Meeting of the Planning and Growth Management Committee on June 19, 2014.
3. Planning and Growth Management Committee direct the Chief Planner and Executive Director City Planning Division to submit a report listing the areas of the City suitable for initial implementation of the Development Permit System based on the criteria outlined in this report.

### **Financial Impact**

The recommendations in this report will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

At its meeting held on December 4, 2013, the Planning and Growth Management Committee in dealing with a report on the draft Official Plan policies for implementing a Development Permit System:

1. Requested the Chief Planner and Executive Director, City Planning to consult with the public and key stakeholders on the matter of implementing a Development Permit System based on the draft Official Plan policies appended in Attachment 1 to the report (November 6, 2013) from the Chief Planner and Executive Director, City Planning.
2. Requested the Chief Planner and Executive Director, City Planning to conduct a community consultation process which would obtain comments and feedback with respect to the draft Official Plan policies that may implement a Development Permit System. The community consultation process would include:
  - a. Meetings with clusters of resident associations and condo boards, in consultation with members of Council.

- b. A combined open house and public meeting format consultation to be held in each planning district.
3. Requested the Chief Planner and Executive Director, City Planning to report back on April 10, 2014 on the outcome of the community consultation exercise.
4. Requested the Chief Planner and Executive Director, City Planning bring forward terms of a pilot project in the King Spadina Planning District as part of any consultation and report on an implementation process as part of any final report.

## **ISSUE BACKGROUND**

The Development Permit System offers an opportunity for an alternative approach to the site specific rezoning, minor variance, and site plan processes. It encompasses area-based planning at a neighbourhood scale and provides an effective means of securing certainty of outcome as well as specified community services and facilities. The Development Permit System intends to reset the planning process by focusing on area-based plans and rules that take into consideration redevelopment pressures and reflect local character and distinctiveness. The Development Permit System will be applied to ensure that development is in keeping with the local needs expressed through the community's planned vision. The result will be a more comprehensive planning process in which outcomes are predictable and align with the expectations of the community.

The *Planning Act* requires that the Official Plan incorporate policies setting out the regulatory requirements for a Development Permit System, including the goals, objectives and scope of the delegated authority for issuing development permits. The types of criteria and conditions that may be included in any development permit by-law must also be set out in policies of the Official Plan.

At its meeting held on December 4, 2013, the Committee requested that the public be consulted on the draft Official Plan policies for implementing a Development Permit System and report back on the outcome of that community consultation exercise. This report begins with a description and explanation of the changes made to the draft Official Plan policies followed by a summary of the comments received at the four public meetings.

## **COMMENTS**

Public meetings were held at the Etobicoke Civic Centre, the Scarborough Civic Centre, the Toronto Reference Library and the North York Civic Centre on March 18, 19, 22 and 24, 2014 respectively. Each session consisted of an open house followed by a public meeting. The meeting included a presentation followed by a question and answer period. A web page was established at [www.toronto.ca/planning/dps](http://www.toronto.ca/planning/dps) providing information about the Development Permit System and the proposed Official Plan policies. A brochure

entitled Reset TO - Towards Neighbourhood Planning was prepared to explain the Development Permit System. It was handed out at each of the public meetings.

Several changes are proposed to the previous draft Official Plan policies for implementing a Development Permit System. The changes are a result of further review by City Planning and Legal Services staff and discussions with Ministry of Municipal Affairs and Housing staff. The Official Plan policies are presented first followed by a summary of the questions and comments received at the public consultation meetings.

## **Changes to the Draft Official Plan Policies**

### **Section 5.2.3 Development Permit System Preamble**

The Official Plan includes a section of text that precedes the policy statements that give a description of the nature and purpose of that policy. While this section remains essentially the same as the original, the wording has been revised to provide greater clarity as to the concept of the Development Permit System, its purpose and how it will operate within the City.

### **Sidebar explaining the term "Criteria"**

The Official Plan includes the use of sidebars to help further explain components or concepts related to a policy. In the case of the Development Permit System, the Ontario Regulation requires that the Official Plan set out the types of criteria that will be used to determine whether the use or development of land may be permitted. The inclusion of criteria within an Official Plan Policy or land use by-law is new and different from the standpoint of current powers and processes under the *Planning Act*. The sidebar has been introduced to explain use of "criteria" together with standards in the Development Permit System process when evaluating an application for a development permit.

### **Goals**

The goals have changed by collapsing two of them into one statement and adding a new goal that expresses the importance of community engagement in the creation of a planned vision for areas subject to a development permit by-law.

### **Objective**

The intent of the objective, to provide for an alternative land use regulatory framework, remains the same although the wording has been revised.

### **Policies**

The policies have changed in structure and in content. Structurally, the policies have been arranged by grouping matters related to the development permit by-laws first followed by matters that pertain to the development permit process. The wording of some of the

policies has been changed to better reflect the intent and purpose. The following is a summary explanation of each section of the policies.

### **Development permit by-laws - Policies 3, 4, 5 and 6**

These policies explain that a development permit by-law will set out the permissible uses and development standards with specified minimum and maximum limits. The development permit by-law may also include criteria for determining whether a proposed use or development of land may be permitted. Once the by-law is enacted for a subject area, any use or development of land must comply with those standards unless expressly exempted. Exemptions would be much like exemptions from the requirements of the site plan control by-law; approval of plans may not be required but the proposed use and built form must still comply with all the applicable standards and criteria in the by-law.

The types of criteria that may be included in a development permit by-law are listed in this section. This new version of the policy lists six broad topic areas that would form the basis of the criteria established in each development permit by-law. The topic areas embody the City's Official Plan policies for building a successful and include: the built environment; the human environment; the natural environment; the City's economic health, competitiveness and cultural capital; transportation and municipal infrastructure; and, appropriate phasing of development.

### **Amendments to development permit by-laws – Policies 7, 8 and 9**

These describe circumstances under which a development permit by-law may be amended. Similar to the previous draft of the policy, amendments are to be considered in the context of all lands within the by-law area. In addition, an application to amend the standards, criteria or conditions in a development permit by-law must be supported by a comprehensive planning rationale within the context of the planned vision for the area and include:

- area studies and information identified in a new Schedule 3A of the Plan (Complete Application Requirements for DPS By-law Amendment);
- a public engagement and consultation strategy involving the City and the affected community; and
- a demonstration of the changes that have occurred in the area since the enactment of the development permit by-law that would support an amendment

In addition, the policy states that Council will consider an amendment to the standards, criteria and conditions only after the comprehensive planning rationale has been submitted and the public engagement and consultation strategy is completed.

### **Complete Applications**

An additional column will be added to Schedule 3, Complete Application Requirements, of the Official Plan for the development permit application submission requirements. An

additional policy requiring compliance with complete application submission requirements for an application to amend a development permit by-law has been added. The submissions requirements for an application to amend the by-law are found in a new Schedule 3A.

### **Delegation**

The policy respecting delegation of the decision making authority involving the issuance of development permits includes a committee of Council, a body appointed by Council and an employee of the City. This provides a broad scope for delegation decisions at the time the Development Permit By-law is addressed.

### **Provision of Community Benefits**

The policies around the requirement for community benefits have been clarified. Community benefits, or cash contributions in lieu thereof, may be requested for any specified height or density that is sought. Unlike Section 37 where benefits are provided in exchange for an increase in height or density, the Development Permit System need only specify at what level of height or density benefits begin to be required. The quantity or value of the benefits must be proportionate to the height or density that is sought. This ensures equitable treatment of similar sized development within an area.

### **Other Conditions**

The list of the types of conditions remains largely the same. A few other have been added including those related to the phasing of development, the granting of public access easements, dedication of parking spaces for car and bicycle sharing opportunities, and streetscape improvements on the public boulevard.

### **Criteria for Selecting a Development Permit Area**

At its meeting held on December 4, 2013, the Committee requested a report on the terms of a pilot development permit by-law project area in the King Spadina Planning District as part of any final report on the implementation of the Development Permit System. This request raises the questions of what should be the basis for selecting areas and, if necessary, how the list of areas might be prioritized.

The Development Permit System is applicable to a wide range of urban contexts that may benefit from its approach to regulating uses and development. In selecting areas, consideration should be given to following conditions.

1. Areas of growth with Secondary Plans or where background studies have been completed supporting a vision for the area.

There are several areas in the City that have recently been studied at the local area level, resulting in detailed plans for expected growth such as the Etobicoke City

Centre, the Scarborough City Centre and portions of Avenues that have undergone a public consultation exercise. These are areas where growth is anticipated but development interest is lacking. Building on this work would save time and effort, target communities where there is demonstrated interest in growth and, eliminate the need for sit by site rezoning applications. .

2. Areas of growth where there is intense development pressure

Areas that are targeted as growth areas and where there is much interest in developing the area, as demonstrated by the number of development applications, could benefit from the development permit by-law. The community visioning exercise would help clarify the expectations for growth in the area as well as the limitations imposed by attempting to service growth. This measure should be seen as relative across the City meaning that it is not the absolute scale of development that matters but rather pressure for development within the area; and

3. Major roads designated as Mixed Use Areas

Ensuring compatibility with respect to built form and land uses along these major roads is important for surrounding neighbourhoods. As in the growth areas, a development permit by-law can help secure predictable outcomes along these major streets. Once a development permit by-law is in place, all development applications must apply for a development permit, which involves a process similar to the current site plan approval procedure.

4. Stable residential neighbourhoods

Applying a development permit to an area made up largely of single detached homes may also prove useful in ensuring predictable outcomes but may pose another challenge. In a development permit by-law area, every new house or addition must attain a development permit, a process similar to site plan approval. If low rise neighbourhoods are seen as a priority, then a less onerous procedure for development permit approval of small scale residential should be considered.

## **Public Meeting Outcomes**

In total, four meetings were held across the City with an estimated attendance of 300 people. The public was also invited to submit written comments, resulting in a number of insightful opinions from individuals, stakeholder groups and residents associations, such as CORRA, FONTRA and others. It should also be noted that there was media coverage at some of the meetings, which also resulted in published articles with respect to the public's reaction to this proposed system.

In general, staff 's interpretation of the meeting outcomes was that participants were open to the idea of establishing a neighbourhood based planning framework. However, participants stressed the importance of having a better understanding of how the

Development Permit System would apply to their particular communities. In addition there was a call for true collaboration at the visioning stage of the process and in the development of the area specific by-law.

A summary of the issues raised, together with a staff response, is detailed below:

**City-wide application of Development Permit System** - There were questions raised about what it meant to have the Official Plan policies for the Development Permit System applied across the City. The proposed policies for the Development Permit System are similar to the policies included in the Official Plan for temporary use by-laws, holding by-laws, site plan control by-laws and Section 37. Policies in the Official Plan are necessary for Council to take advantage of those powers provided in the Planning Act. The Development Permit System policies have no land use implications; they are procedural policies which allow for the enactment of a development permit by-law in areas of the City selected by Council. All development permit by-laws must conform to and implement the Official Plan. Only upon a Development Permit By-law coming into force will the Development Permit System become applicable to and operative within an area.

**Community visioning process** - There were questions related to the procedure for arriving at a final vision for the area. Community visioning exercises arrive at conclusions by consensus. Residents, landowners and business operators may participate. City staff and/or consultants, hired to conduct background studies, will facilitate the various meetings. The process could take several months depending on the size of the area and complexity of the issues. There was interest in assurances that the final plan together with the standards and criteria would be presented to the community before reporting to Committee and Council.

**Appeals - by-laws** - There were several questions related to the rights to appeal especially for residents in a development permit by-law area. A development permit by-law is enacted using the same process as a zoning by-law. Any person giving oral or written submission to Committee or Council on the development permit by-law may appeal.

**Appeals - development permits** - Once the development permit by-law is in force, plans and drawings must be submitted for approval in order to attain a development permit, similar to the site plan approval process. The refusal to issue a permit or the conditions attached to an approved permit may be appealed by the applicant only. There were many concerns about no third party appeal rights at this stage of the process. However, this is a requirement of the Provincial legislation, not an Official Plan policy. Any change to these appeal rights would require Provincial intervention and revision to the governing legislation. Applicants may also appeal on grounds that the City failed to make a decision respecting the permit application within the 45 day period provided for by the legislation.

**Public participation in development permit applications** - Participants at the public meetings indicated that there should be a role for residents during the approval of plans



related to a development permit application. Some were interested in being notified of development applications as well as having an opportunity to understand how the proposal meets with the various standards and criteria. Others saw the purpose of involvement at this stage of the process to provide greater oversight because they were skeptical of the ability of staff to apply the standards and criteria correctly, especially if some criteria are complex or discretionary. Notification and involvement by the public in development permit applications are not precluded by the legislation or the policies but will likely vary from by-law to by-law. Including a policy within the Official Plan acknowledging notice and review procedures may be helpful, although these matters can be dealt with within the by-law even in the absence of related Official Plan Policies.

**Selecting by-law areas** - The selection of possible development permit by-law areas will be at the discretion of Council. Council may want to adopt criteria to assist in establishing priority areas, particularly if there are numerous requests. In the public meetings, the suggestions were wide ranging. Some thought low rise neighbourhoods would be well suited for development permit by-laws while others believed development permit by-law should be reserved for growth areas; the Downtown, the Centres and the Avenues.

**Selecting by-law area boundaries** - The areas initially only need to be named in general. The actual boundaries of the eventual development permit by-law area would be established in consultation with the community.

**How are standards and criteria applied** - There was some concern that standards and criteria would be the same across the entire area. Each development permit by-law area may be subdivided into smaller areas, even on a block-by-block basis to recognize the differences in character, built form or other city building objectives.

**Community benefits** - There was some concern that the community benefits provisions would allow for greater height or density than the stated maximum in the by-law. Community benefits in the Development Permit System are tied to specified heights or densities. The maximum heights and densities in the development permit by-law cannot be surpassed, period. There is no opportunity to receive heights and densities beyond the maximums as is the case with Section 37. There appeared to be general acceptance of the approach to community benefits - prescriptive and proportionate to the height or density attained.

**Heritage** - There some interest in knowing how the Development Permit System would recognize heritage properties and heritage conservation districts. The development permit by-law would recognize such properties in two ways. The standards and criteria applied to these properties would be complementary to the stated objectives of the heritage designation. The standards and criteria applying to surrounding properties would be designed to be compatible with the stated aims in protecting these heritage properties.

**Delegation** - There was some concern with the amount of authority delegated to staff in approving development. It is important to note that delegation applies only to the issuance of a development permit, the equivalent of the approval of site plan. Delegation

to staff is a power granted by Council. Council may instead delegate approval authority to a Committee of Council or to a body appointed by Council. It is also possible to mix and match the delegation authority whereby staff may approve development permits for smaller scale development and larger scale development would go to a Committee of Council or Council.

**Cost** - There were a few questions inquiring about the comparative costs of the current zoning system versus the area by area approach of the Development Permit System. It is difficult to compare because the approaches are so different. In the Development Permit System, there is substantial upfront cost in the community visioning exercise and creating the development permit by-law. But after that, there will be no site specific rezoning applications and related OMB hearings. Cost savings accrue the longer the development permit is operative. In a zoning by-law system, site specific applications are ongoing and, the potential of OMB hearings is constant. There are also minor variance applications to contend within a zoning by-law system. Such applications and their related appeals will be eliminated with the introduction of the Development Permit System. Over time, the development permit system should yield a cost savings.

**Transition** - Transition involved issues like what happens to existing applications and would there be consideration for an interim control by-law to stave-off the potential scramble to submit rezoning applications ahead of the development permit by-law. The use of an interim control by-law is possible if the situation warrants its use. With respect to existing applications, appropriate transition clauses, similar to those prepared for the new zoning by-law, could be written into each development permit by-law.

## **CONTACT**

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## **SIGNATURE**

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Chief Planner & Executive Director  
City Planning Division

## **ATTACHMENTS**

Attachment 1: Proposed Official Plan Policies – Development Permit System

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## **Attachment 1: Proposed Official Plan Policies – Development Permit System**

### **5.2.3 Development Permit System**

The Development Permit System provides the City with a land use regulatory power that is an alternative to zoning for the purposes of implementing the Official Plan. The Development Permit System is applied area by area at a neighbourhood scale. The Development Permit System addresses local planning issues and reflects local character and distinctiveness through the creation of a comprehensive vision for a particular area. The Development Permit System ensures predictable planned outcomes and consistency with a planned vision for the area to which it applies.

A Development permit by-law will include a list of permitted uses and development standards similar to zoning by-laws. However, in addition to complying with permitted uses and any minimum or maximum standards, development permits may be issued only if the proposed development meets specified evaluation criteria and conditions of approval. Development standards, evaluation criteria and conditions of approval included in a Development permit by-law will apply to the entire area subject to the by-law or, to an identified sub-area in order to account for differences in context, character and permitted uses within the by-law area.

The entire City of Toronto is identified by this policy as a development permit area. The Development Permit System will be implemented by by-law in selected areas of the City. This area by area approach will:

- reaffirm and support implementation of the Official Plan's vision, principles and policies;
- promote strategic, integrated and long-term neighbourhood-based planning for selected areas within the City; and
- provide certainty, transparency and accountability when implementing the planned vision for a subject area

When a Development permit by-law comes into force, a development permit will be required for all development within the subject area prior to the issuance of a building permit, unless the proposed use and development is expressly exempted from the permit requirement by the Development permit by-law.

#### **Sidebar - Evaluating Development within a Development permit by-law**

The appropriateness of development is measured against a set of standards and criteria. The standards establish defined minimum and maximum limits for development. The criteria work together with the standards to determine the extent of permissible development within these defined limits. The standards and criteria, in combination,

achieve optimal building siting, massing and design and relationship to the adjacent public realm that respects and reinforces the surrounding built environment, context and desired character of development in the area.

## **Goals**

1. The goals of the Development Permit System are to:
  - a) implement the vision, principles and policies of the Official Plan;
  - b) engage the community in the creation of the planned vision for subject areas;
  - c) establish a comprehensive planning framework that facilitates and shapes development appropriate for subject areas; and
  - d) secure predictable outcomes by ensuring that all approved development is consistent with the planned vision and the comprehensive planning framework for subject areas.

## **Objective**

2. The objective of the Development Permit System is to provide for an alternative land use regulatory framework that implements the Official Plan and achieves the Goals stated above.

## **Policies**

### ***Permit Required***

3. If a Development permit by-law is enacted for an area, any use or development of land must comply with the permissible uses, standards and criteria set out in the Development permit by-law, as evidenced by the issuance of a development permit, unless the proposed use or development is expressly exempted from the permit requirement by the Development permit by-law.

### ***Development permit by-laws***

4. Development permit by-laws will set out permissible uses and development standards with specified minimum or maximum limits.
5. Development permit by-laws may include criteria for determining whether a proposed use or development of land may be permitted.

6. The types of criteria included in a Development permit by-law may evaluate the use and development of land in terms of:
  - a) the built environment, such as, patterns of streets and blocks, the mix and location of land uses, the public realm, built form, and heritage resources;
  - b) the human environment, such as, housing, community and recreation services and facilities, parks and open spaces;
  - c) protection, restoration and enhancement of the natural environment;
  - d) Toronto's economic health, competitiveness and cultural capital;
  - e) transportation and municipal infrastructure and servicing; and
  - f) the appropriate phasing of development to address the criteria set out above.

### ***Amendments***

7. A City-initiated amendment or an application to amend a Development permit by-law must be considered in the context of all lands within the area subject to the by-law.
8. A City-initiated amendment or an application to amend development standards, criteria or conditions in a Development permit by-law must be supported by a comprehensive planning rationale within the context of the policy framework and its planned vision for the entire subject area and an application to amend a Development permit by-law in this manner will include:
  - a) area studies and information, identified in Schedule 3A of this Plan, supporting the proposed amendment;
  - b) a public engagement and consultation strategy involving the City and the community affected by the Development permit by-law area; and
  - c) a demonstration of the changes to the subject area that have occurred since the enactment of the Development permit by-law so as to support an amendment to the by-law including a review of the matters listed in Policy 6 as they pertain to the subject area.
9. A City-initiated amendment or an application to amend the development standards, criteria or conditions in a Development permit by-law will be considered by Council only after the comprehensive planning rationale required by Policy 8 has been submitted and the public engagement and consultation strategy completed.

### ***Complete Applications***

10. Applications for a development permit will comply with the complete application submission requirements for a Development Permit identified in Schedule 3 of this Plan and Schedule 1 of Ontario Regulation 608/06.
11. Applications for an amendment to a Development permit by-law will comply with the complete application submission requirements for a Development permit by-law Amendment identified in Schedule 3A of this Plan and the requirements listed in Policy 8.

### ***Delegation***

12. Where a Development permit by-law has been enacted, Council may delegate its decision making authority respecting development permit applications and its authority to execute, amend and release development permit agreements to a Committee or body appointed by Council or an employee of the City of Toronto.

### ***Conditions***

#### **Agreements**

13. The Development permit by-law may require an applicant to enter into and register on title an agreement with the City dealing with some or all of the conditions imposed on a development permit.

#### **Financial Security**

14. The Development permit by-law may require the applicant to provide financial security to ensure the satisfaction of any condition imposed on the permit and/or the completion and/or maintenance of the development.

#### **Provision of Community Benefits**

15. A Development permit by-law may include a requirement for the provision of community benefits, or cash contribution in lieu thereof, proportionate to and in exchange for, the height or density that is sought.
16. The community benefits provided in accordance with Policy 15 may include conditions for the provision of the following:
  - a) the conservation of heritage resources that are designated and/or listed on the City of Toronto Inventory of Heritage Properties;
  - b) fully furnished and equipped non-profit child care facilities, including start-up funding;

- c) public art;
  - d) other non-profit arts, cultural, community or institutional facilities;
  - e) parkland, and/or park improvements;
  - f) public access to ravines and valleys;
  - g) streetscape improvements on the public boulevard not abutting the site;
  - h) purpose built rental housing with mid-range or affordable rents, land for affordable housing, or, cash-in-lieu of affordable rental units or land;
  - i) local improvements to transit facilities including rapid and surface transit and pedestrian connections to transit facilities;
  - j) land for other municipal purposes;
  - k) substantial contributions to the urban forest on public lands; and
  - l) other local improvements identified through Community Improvement Plans, Secondary Plans, Avenue Studies, Development permit by-laws, environmental strategies, sustainable energy strategies, the capital budget, community service and facility strategies, or other implementation plans or studies.
17. The Development permit by-law may establish a minimum size of development for the purposes of requiring community benefits or cash contribution in lieu thereof.

Other conditions

18. The Development permit by-law may also include any condition or requirement that:
- a) may be imposed pursuant to sections 34, 40, 41 and 42 of the Planning Act;
  - b) may be imposed pursuant to sections 113 and 114 of the City of Toronto Act, 2006; and
  - c) any condition may require:
    - (i) the provision of sustainable design features;
    - (ii) specified use of building materials, architectural details, window details and colours;
    - (iii) site alteration, including but not limited to, the alteration or restoration of the grade of land and the placing or dumping of fill on the lands;
    - (iv) the conveyance of land to the City, at no expense to the City for a public transit right of way, a new laneway or the widening of highways or lanes that abut on the land;

- (v) the protection, maintenance and enhancement of existing trees and other vegetation, and the removal, restoration or replacement of vegetation;
- (vi) the monitoring of the use of lands, provided the monitoring is necessary for the protection of public health and safety or the protection of the natural environment;
- (vii) the implementation and maintenance of measures that address impacts related to air quality, water quality and supply, sewer supply, groundwater protection, storm water management, natural heritage features and functions, energy conservation, transportation infrastructure, noise, vibration, and construction phase environmental impacts;
- (viii) the applicant to obtain or provide easements for the purposes of shared parking or access to other parking lots in the specified area;
- (ix) with respect to land described in paragraph 3, 3.1 or 3.2 of subsection 34 (1) of the Planning Act, a condition that is related to matters that would otherwise be prohibited under those paragraphs;
- (xi) the securing of existing rental housing or the replacement of rental housing in accordance with the housing policies of the Official Plan;
- (xii) that multiple phase development be built out in a specified sequence;
- (xiii) the granting of public access easements to the City;
- (xiv) the dedication of parking spaces for use of car sharing, bicycle sharing or alternative transportation opportunities;
- (xv) streetscape improvements on the public boulevard abutting the site; and
- (xv) an applicant to enter into an agreement with the City requiring that the development be built-out in accordance with all plans and drawings, submitted in accordance with the Complete Application requirements, and finally approved by the City.



**DEVELOPMENT PERMIT BY-LAW AMENDMENT REQUIREMENTS**

<p><b>REQUIREMENTS of the CITY OF TORONTO ACT, PLANNING ACT and/or Regulations</b></p>	
<p><b>ADDITIONAL REQUIREMENTS of the OFFICIAL PLAN</b></p> <p><i>In addition to the prescribed requirements of the Planning Act, the following non-prescribed information will also be required to evaluate a Development permit by-law amendment application, unless it is determined that certain studies, plans, drawings and reports are not applicable. In addition, other information or studies may be required if the information or study was provided at the time the Development permit by-law was first enacted.</i></p>	
<p><b>Completed Application Form</b> – including Permission to Reproduce and Provision of Requisite Copies. Applicants are required to (a) grant the City permission to reproduce, in whole or in part, any document submitted as part of a complete application for internal use, inclusion in staff reports or distribution to the public for the purpose of application review, and (b) provide a reasonable number of copies of any such document, or parts thereof, in paper and/or electronic form, to the City for internal use and distribution to the public for the purpose of application review.</p>	
<p><b>Comprehensive Planning Rationale</b> – a public engagement and consultation strategy.</p>	
<p><b>A Public Engagement and Consultation Strategy</b></p>	
<p><b>Appropriate Plans and Drawings</b> – to support Comprehensive Planning Rationale.</p>	
<p><b>Topographical Survey</b> – showing the area of all land parcel(s) relevant to the Development permit by-law area.</p>	
<p><b>Massing Model</b> – physical or computer generated for the area.</p>	
<p><b>Pedestrian Level Wind Study</b></p>	
<p><b>Sun/Shadow Study</b></p>	
<p><b>Community Services/Facilities Study</b></p>	
<p><b>Housing Study</b> – determine how the range of housing envisioned by the by-law is maintained or replaced in terms of form, tenure and affordability.</p>	
<p><b>Natural Heritage Impact Study</b> – if the proposed amendment is likely to have impacts on the Natural Heritage System shown on Map 9.</p>	

<b>Environmental Impact Study</b> – <i>if the proposed amendment is likely to have impacts on aspects of the environment not adequately assessed in the Natural Heritage Impact Study.</i>	
<b>Archaeological Assessment</b> – <i>for properties in the City's database of lands containing archaeological potential within the area.</i>	
<b>Heritage Impact Statement/Conservation Strategy</b> – <i>for properties in the City's Inventory of Heritage Properties, whether listed or designated, within the area where new development could have an impact on a heritage property.</i>	
<b>Noise Impact Study</b>	
<b>Vibration Study</b>	
<b>Geotechnical Study</b> – <i>hydrological review to be included where warranted.</i>	
<b>Servicing Capacity Review</b>	
<b>Transportation Impact Studies</b>	
<b>Stormwater Management Plan</b>	
<b>District-based Energy Plan</b>	