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PRE-ZONING LANDS

NECESSARY, BUT NOT SUFFICIENT

Rob Jowett

While pre-zoning land is a necessary tool for increasing density in neighbourhoods across the City of Toronto, it does not significantly help to reduce development approval timelines.

That is the conclusion of a recent [report](#) from **Ryerson University's** Centre for Urban Research and Land Development (CUR) that examines the attempts of the **City of Toronto** to reduce development application approval timelines through city-led rezoning efforts. In reducing approval timelines, pre-zoning is believed to help improve the flexibility of developers to respond to the needs of the housing market as they change over time. Specifically, the report considers the results of the Kingston Road Revitalization Study and subsequent development proposals for that area that sought to take advantage of the new zoning policies that emerged from that study, which was intended to intensify the

Kingston Road area.

While rezoning efforts are usually led by development applicants and pertain to one site, pre-zoning larger areas has increasingly been considered as a way of incenting specific forms of development as ostensibly, it removes the need for months or years-long efforts to change zoning by-laws to accommodate development. Pre-zoning has become a major policy tool to define what type of development the city wants on

its avenues, where around one-fifth of Toronto's development is happening.

"The idea of [pre-zoning] is [it's] supposed to speed up the process," CUR senior research fellow and report author **Frank Clayton** told *NRU*. "So when a developer buys a piece of property, he knows that he can put... 12 storeys on [it], and that's it. If he does that, he doesn't have to go through any rezoning process... the idea was that once you get pre-zoning, you should be able to

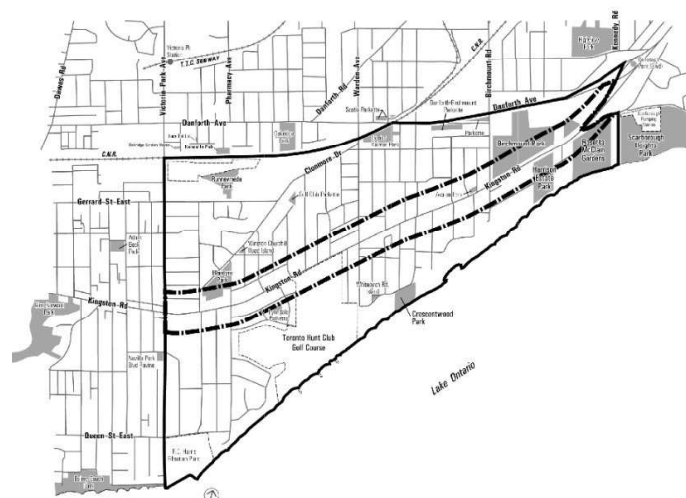
go very quickly to get building permits."

Clayton says without pre-zoning, it can take years—up to ten years on high-rise sites—to change zoning by-laws, even when other policies that support the type of proposed development, such as Official Plan amendments, exist. He says these lengthy delays mean that housing supply is highly inelastic because landowners cannot react quickly to changing market dynamics, such as rising housing costs.

"What we're saying is that pre-zoning is a necessary condition," says Clayton. "But it's not a sufficient condition. It won't necessarily help things happen."

The Kingston Road

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Map of the Kingston Road Revitalization Study area which led the City of Toronto to pre-zone the area in an attempt to prepare it for intensification and to reduce development approval timelines.

SOURCE: CITY OF TORONTO

NECESSARY, BUT NOT SUFFICIENT

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Revitalization Study was undertaken from 2004 to 2010 to examine a stretch of Kingston Road between Danforth Avenue and Victoria Park Avenue in order to determine the best way to transform the low-rise, low-density, commercial and residential area into a main street more typical of downtown. Following the study, three core commercial areas were identified and replaced existing zoning permissions along the street with Limited Industrial and Commercial-Residential zoning codes. The height limit for buildings was increased to four to eight storeys, depending on the site, and the permitted densities were increased to match those increased heights.

“I think [the revitalization study] was very much needed when you’re looking at that particular section and any other section or any other avenues in the city to... ignite development and revitalization,” Ward 20 Scarborough Southwest councillor **Gary Crawford** told *NRU*. “I think it really helped in that because we have now... buildings going up. We have many [development] applications in. And I think it’s been very successful in reigniting that particular

area... I’m assuming in four or five years, you will find the vast majority of that area being redeveloped.”

Since the new zoning was implemented in 2010, there have been five developments that have been approved in the new Kingston Road zoning areas, an additional two have received notice of approval conditions, and two more still are in the approvals process. In total, these projects represent over 610 residential units. On average, it took 38 months from the time an application was submitted for a development proponent to obtain a building permit. Clayton says this is much longer than it should take with the pre-zoning efforts. Even with the pre-zoning, two of the proposed projects still needed to go through a rezoning process.

“[The report] reflects similar planning issues on the avenues across the City of Toronto. And I think it also reflects some of the growing pains reflected [along] other... transit corridors and in maturing communities... like Kitchener, like Hamilton, and like Ottawa,” **Ontario Home Builder’s Association** policy director **Michael Collins-Williams** told *NRU*. “It’s almost frustrating to read because it’s a

case study of the exact specific locations [to which] planning policy is attempting to direct a significant portion of the newcomers that are coming from all around the world to live in Toronto.”

Collins-Williams says Ryerson’s report demonstrates that the city’s planning system is out of date and does not reflect the needs of a city the size of Toronto. He says pre-zoning is an important policy tool that has worked in other places, such as Kitchener, but that it is insufficient on its own to bring in the type of development the city is looking for right now. He adds that there are also often issues with the nature of the actual uses and permissions that are pre-zoned and that the zoning can often be inflexible and does not reflect the realities of particular aspects of a site, such as its dimensions or adjacent uses.

“In a lot of cases, pre-zoning is... described as shrink-wrapped zoning,” says Collins-Williams. “So the zoning itself is too tight for the site. Sometimes, even though it’s pre-zoning an avenue, it may be too short to be economically viable... There’s often issues with setbacks... [and] there’s a lack of design flexibility.”

Given the size of the city, it is difficult to assume that the report’s findings are true across Toronto, Ward 19 Beaches-East York councillor **Brad Bradford** told *NRU*. He says pre-zoning sites is an important planning tool because it gives landowners and development

proponents certainty around what is permitted for different sites, and that it benefits the city to be able to define what it is looking for in major growth areas, particularly on large, impactful sites that can host a lot of needed municipal infrastructure or advance other city initiatives. He adds that many development projects are slowed down because of delays on the proponent’s side, not the city’s.

“[Pre-zoning is] a great way to... provide that certainty in the market. It drives investment, especially on avenues or transit corridors,” says Bradford. “It’s not the be-all end-all. It’s one of many things that we need to move forward in terms of our planning tool kit.”

Bradford says development approval in Toronto does often take too long, but feels that timelines will improve once recommendations, such as improving interdivisional communication and updating technology used to review and track applications, are implemented from the end-to-end review recommendations of the planning department. 🌟