



# **PLANNING JUSTIFICATION REPORTS & LETTERS**

**TERMS OF REFERENCE**

**JUNE 2023**

## **ABOUT THE FOLLOWING TERMS OF REFERENCE**

These Terms of Reference were developed as a joint effort with participation by representatives from all York Region municipalities and the Region. The Terms of Reference are in widespread use across the Region, with local requirements added as prescribed by each municipality.

The requirement for this study will be decided during the Pre-Application Consultation process.

If determined that this study is applicable, the study terms may vary depending on the nature of the proposal. Discussion and confirmation as to whether all criteria outlined within these Terms of Reference are appropriate for your development project, will also take place with you and in consultation with any relevant external agencies during Phase 1.

In addition to these Terms of Reference, municipal departments and/or external agencies may require analysis of specific technical components that should be addressed in the study. Confirmation of additional technical requirements, and a checklist identifying detailed standards to be met, in turn may be provided. The extent of the checklist items will vary on the nature of the application and will be confirmed during the Pre-Application Consultation process.

## **PURPOSE**

A planning justification report provides information to understand the proposed development; to demonstrate how it is consistent or conforms to applicable provincial, regional and municipal requirements and the planning rationale for a proposed development. This document is intended to help the applicant organize and substantiate the application and to assist staff in the review of the proposal.

Depending on the complexity of the application, the information requirements may be addressed in a letter format or a more comprehensive report.

## **REQUIRED BY LEGISLATION**

N/A

## **WHO PREPARES THIS?**

A planning justification report is prepared and signed by an independent Registered Professional Planner (RPP).

## **WHY DO WE NEED THIS?**

The planning justification report or letter is required to

- Provide a clear understanding of the proposal
- Highlight information specific or particular to the proposal (i.e., special history or circumstances)
- Demonstrate good planning and how the proposal is consistent with the Provincial Policy Statements; conforms to Provincial Plans, the York Regional Official Plan, the local area Official Plan and any other guidelines or requirements

# STRUCTURE AND FORMAT

## WHAT SHOULD BE INCLUDED?

### Submission Requirements

A planning justification report should at a minimum contain

#### Introduction

- Address of the subject property
- General site location of the subject property and context map
- Project Name (if applicable)
- Applicant and owner's contact information
- Author name, title, qualifications, company name and appropriate stamp
- Brief description of the proposal
- Overview of the study area
- Purpose of the study
- Listing of documents relied upon to prepare the Planning Justification report (i.e. studies undertaken by other disciplines such as a natural heritage evaluation, archaeological study, functional services study, etc.
- How the PJR addresses matters arising from the Mandatory Consultation phase

#### Proposal Description and Context

- A description of the proposal, development stats (such as number of units, site area) type of development proposed, height, FSI, parking areas, access points, location of amenity areas, proposed phasing)
- In the case of a Regional or Local Official Plan Amendment(s), it is important to provide a clear justification for why the amendment to the Plan(s) is required at this time, given that these plans are reviewed on a regular basis with the intention of updating them to conform with/be consistent with Provincial policies and regulations. As such, a thorough explanation is required with a clear demonstration as to how the proposed Official Plan will benefit the community wherein the amendment would apply, the municipality and the Region
- Planning history of the site, such as previous approvals, legislative references, Ontario Land Tribunal history, relevant authorities (i.e., site plan agreements, site-specific zoning by-law and variances) including copies of relevant documents
- Process step/approvals required (i.e. zoning, site plan, consent, condominium)
- A description of the existing on-site conditions as well as surrounding areas, roads, natural areas, buildings, parking areas
- A list detailing the potential amendments to the Official Plan and/or Zoning By-law, or a draft Official Plan amendment and/or Zoning By-law amendment in the municipality's format, if applicable
- Concept/Site plan for the development including building location, parking, access, amenity areas, grading, natural features and hazards
- A description of the location and existing condition of the subject lands including buildings, structures, any natural features, heritage resources, potential for contamination or site constraints

- A description of the surrounding land uses. If used for a business, state the name and the nature of the business and any significant features such as: roads, natural features, buildings and parking areas
- Other concurrent approvals being sought, planning applications, permits

### **Investigation/Evaluation**

- How the proposal is consistent with the Provincial Policy Statement (PPS), and conforms to all Provincial Plans and Planning Act considerations
- How it meets relevant Regional and local Official Plan policies including discussion as to how and why each is addressed by the proposal or identify where the proposal does not comply with Regional and local Official Plan policies and why the proposed amendments are necessary, if applicable
  - Overview of relevant Official Plan and Zoning By-law information, areas of compliance and non-compliance and why any proposed amendments are necessary
  - Discussion of how the proposal will address any other relevant municipal planning studies or guidelines
  - Where appropriate the investigation/evaluation should reference related studies prepared in support the development application in order to provide a fulsome/ comprehensive analysis of the application.

### **Impacts and Mitigation Measures**

- Analysis and opinion as to why the proposal is considered appropriate, including issues of impact and compatibility

### **Recommendations**

- Summary and conclusions of the supporting studies and how they support the development and any special considerations or conditions that should be imposed
- Any recommendations, or conditions that should form part of a decision on the matter

### **Drawings and Supporting Information**

- Provide an outline of the supporting studies submitted (i.e., traffic studies, environmental, urban design briefs)

### **Community Engagement**

- Provide a summary of any formal or informal community meetings held prior to the submission of the application and the feedback received.
- Provide a summary of any additional engagement that is planned as part of the proposal

### **A planning justification letter should contain:**

- A description of the proposal, overview, major statistics (i.e., height, density, parking), relevant phasing issues, site and contextual considerations
- A site description and surrounding land uses/context/built form

- The site’s planning history such as previous approvals, legislative references, Ontario Land Tribunal history, relevant authorities (i.e., site plan agreements, site-specific zoning by-law, heritage designation by-laws), severance and minor variances currently or recently in process, with copies of relevant documents
- Any other approvals required, e.g., conservation authority permit

**Special considerations for plans of condominiums**

In addition, the planning justification letter for draft plan of condominium applications may provide a description of the type of application (i.e., leasehold, common elements, phased, vacant land, standard) and on any related planning approval process or on any unusual circumstances (i.e., strata plan). The letter should identify whether the plan of condominium is consistent with as the approved site plan or if there have been any changes, what those changes are and why. If there was no previous planning process including site plan approval, the letter should explain the circumstances (i.e., conversion of rental).

**WHAT ELSE SHOULD WE KNOW?**

The scope of the study should be discussed with the municipal and/or local municipal planning staff and or other staff or agencies as part of the consultation process.

It is important that the study not be finalized until the results of all other studies are completed such , but not limited to, as Environmental Impact Study, Environmental Site Assessment, Traffic, Cultural Heritage, Urban Design Briefs any hazard related studies, servicing, and grading.

**CITY OF MARKHAM ADDITIONAL TERMS**

N/A

**CITY OF MARKHAM STUDY SUBMISSION INSTRUCTIONS**

N/A

**WHAT OTHER RESOURCES ARE THERE?**

Ontario Professional Planners Institute (OPPI) – Hire an RPP

<https://ontarioplanners.ca/hire-an-rpp>

**NOTES**

If the proposed development is revised, the study/report shall reflect the revisions by an updated report or letter from the author indicating the changes and whether or not the recommendations and conclusions are the same (Note: this is subject to the extent of the revisions).

A peer review may be required. The cost of the peer review will be borne by the applicant.

If the submitted study is incomplete, is authored by an unqualified individual or does not contain adequate analysis, the applications will be considered in complete and returned to the applicant.