

CLIFF BUNGALOW-MISSION COMMUNITY ASSOCIATION

Planning and Development Committee

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January 20, 2023

City of Calgary
Planning and Development
Third floor, Municipal Building
800 Macleod Trail SE
Calgary, Alberta

Re: LOC2022-0153, 1901 5 Street SW (Multiple Addresses)
Decision: Letter of Comment¹ (Positive on Balance)

The Cliff Bungalow-Mission Community Association (“CBMCA”) is submitting the comment below with regards to the LOC2022-0153. A summary of important issues is outlined on the first two pages, and is followed by an in-depth discussion of these issues on pages 3-10 and an Annex on pages 11-13.

- **Importance of a deep setback along 5th Street.** Deep setbacks and substantial tree plantings, reflecting both Garden City and City Beautiful design, are a character attribute for Cliff Bungalow. In addition to the deep setback being an important architectural landscape feature, it also allows for a wider root system, which in turn allow for healthier trees and a wider tree canopy. The CBMCA believes that any new development within the neighborhood of Cliff Bungalow should be designed in such a way as to respect these design principles.

The CBMCA believes the Applicant’s proposed setback of 2.1m along 5th Street SW is inferior relative to the contextual setback of 5.7m. However, the CBMCA also realizes the narrow setback is somewhat necessitated by step-backs and courtyard designs of the project, both of which reduce the adverse impact of the development on direct neighbors. This is a reasonable trade-off, even if the CBMCA is not fully supportive of it.

¹ The CBMCA issues one of four types of decision: 1 Opposed, 2 Concerned, 3 No Objection/Comment & 4 Support.

- Letters of Opposition** indicate that the Application has serious discrepancies with respect to our ARP’s and/or Bylaw 1P2007. When a letter of opposition is issued we will consider filing an appeal with SDAB if remedial actions are not forthcoming in an amended Application.
- Letters of Concern** indicate that either we have insufficient information on which to base a decision or that the Application has some discrepancies with respect to our ARP’s and/or Bylaw 1P2007. When a letter of concern is issued we may consider filing an appeal with SDAB if further clarifications and/or amended plans are not provided.
- Letters of No Objection/Comment** are provided for reference. They do not indicate approval or opposition. We would not normally consider filing an appeal with SDAB after providing a letter of No Objection/Comment, unless affected residents requested our support or the DP is issued with relaxations to the relevant bylaws.
- Letters of Support** indicate that we consider the Application to be in general accordance with our ARP’s. To obtain a letter of support the applicant is strongly encouraged to work the CBMCA and affected residents through a charrette or similar community engagement design-based workshop. We would not consider filing an appeal with SDAB after providing a letter of support.

- **Parcel is uniquely located within Cliff Bungalow’s “Conservation and Infill” Policy Area.** The “Conservation and Infill” Policy Area of Cliff Bungalow allows for the development of single-detached, semi-detached and townhouse developments. The rationale of the four-block “Conservation and Infill” Policy Area of Cliff Bungalow is two-fold. First, it allows for a portion of Cliff Bungalow to retain its original character, an important MDP goal (heritage preservation).² Second, it allows for a family-oriented area within the neighborhood, which remains contextually appropriate given the policy area is contiguous to Elbow Park and Upper Mount Royal.

That said, the CBMCA believes the location of this specific parcel – while located within the “Conservation and Infill” Policy Area – is a uniquely appropriate candidate for sensitive densification. Outside of this unique parcel, the “Conservation and Infill” Policy Area of Cliff Bungalow is not appropriate for upzoning. *It is important for City Administration and City Council to concurrently reaffirm its commitment to the community’s “Conservation and Infill” Policy Area if it moves to approve this LOC Application.*

- **Minimizing adverse impacts on residents.** The Applicant initially put forward a number of thoughtful ideas within the massing model to reduce the adverse impacts on surrounding residents as it relates to step-backs, setbacks, fenestration, and shadowing. These attributes were further improved following comments from the CBMCA and affected residents. While the Applicant has thus made several accommodations within their proposed design, *City Administration also has responsibility to further explore ways in which these adverse impacts can be minimized wherever possible. Addressable suggestions raised to the CBMCA that City Administration is strongly advised to investigate include: (1) Speed-bumps along Cliff Street to improve safety near the Montessori School of Calgary and (2) A four-way stop at the intersection of 5A Street and 19 Avenue SW to improve safety at the Western Canada High School parking lot.*
- **Community amenities.** The CBMCA views the proposed traffic-calming curb bulb outs and creation of a public boulevard along 19th Avenue as implicit voluntary, on-site community amenities put forward by the Applicant. These amenities will contribute to the residential ambiance of the policy area and increase public tree-canopy in the community.
- **Modifiers to the proposed LOC Application.** While the CBMCA is comfortable with the proposed project attributes of 2.72x FAR, the M-H1 district (4.0x FAR) is not contextually appropriate to for this parcel and does not align with the Cliff Bungalow ARP. Thus, it was important to the CBMCA to ensure tight modifiers on the MH-1 zoning to limit any future development to the confines of the proposed project (FAR of 2.72x and height of mostly 15m-19m, with further modifiers around setbacks and step-backs).

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² As explored within this note, almost the entirety of the roughly four blocks of Cliff Bungalow’s “Conservation and Infill” Policy Area, fully meets the eligibility criteria for inclusion into the City of Calgary’s established “Heritage Area” framework.

1. Quality of engagement

The Applicant engaged in good faith

The Cliff Bungalow-Mission Community Association (“CBMCA”) believes the Applicant worked with the community stakeholders in good-faith. The feedback, questions, concerns and comments stemming from conversations with the CBMCA and community residents resulted in thoughtful modifications of the massing model and LOC Application. Where the Applicant decided against accommodations, explanations were provided.

A pre-application discussion would have been highly appreciated

The CBMCA believes that pre-application engagement is best practice for any significant LOC Application. This engagement is important because residents typically have important local knowledge (including the community perspective) with respect to important attributes of proposed massing models (including height, setbacks and step-backs). These considerations are ultimately at the core of every significant LOC Application. The CBMCA’s understanding is that the LOC Application for 1901 5 Street SW had been submitted to City Administration prior to the Applicant’s first engagement with the community. While unintentional, this could have created the perception that the Applicant viewed community engagement as an after-thought and checkbox portion of the LOC Application. This would have been unfortunate, both as it relates to trust in the process and respect for the community perspective.

The CBMCA believes City Administration should strongly consider implementing a go-forward policy that incentivizes Applicants to conduct pre-Application meetings with Community Associations for any LOC Application that involves a material lift in the FAR of the subject parcel.

2. Discussion of concerns around massing and density of proposed LOC within the context of Cliff Bungalow’s “Conservation and Infill” Policy Area

The Cliff Bungalow ARP remains a valid statutory document

The Cliff Bungalow ARP and the neighborhood’s existing zoning districts remain valid planning documents, reflecting both the neighborhood’s historical roots and character, in addition to an agreement between City Administration the Community with regards to how to best strike the balance between varying municipal objectives within the confines of redevelopment (including both densification and historical preservation). While the ARP was written in 1985, the policies outlined around the sensitive densification within the context of a historical community have only increased in importance as the supply of remaining heritage buildings shrinks relative to the size of Calgary as a whole. A further discussion outlining the unparalleled success of the Cliff Bungalow-Mission ARPs in driving sensitive densification is provided in Annex I of this document.

Exploring the strong policy rationale of Cliff Bungalow’s “Conservation and Infill” Policy Area

The “Conservation and Infill” Policy Area of Cliff Bungalow comprises a relatively modest portion of the community. As noted, in the map below, it is bounded from 19th Avenue and 24th Avenue (North to South) and from the Cliff Bungalow escarpment to 5th Street SW (West to East), so is only about 3-4 blocks.

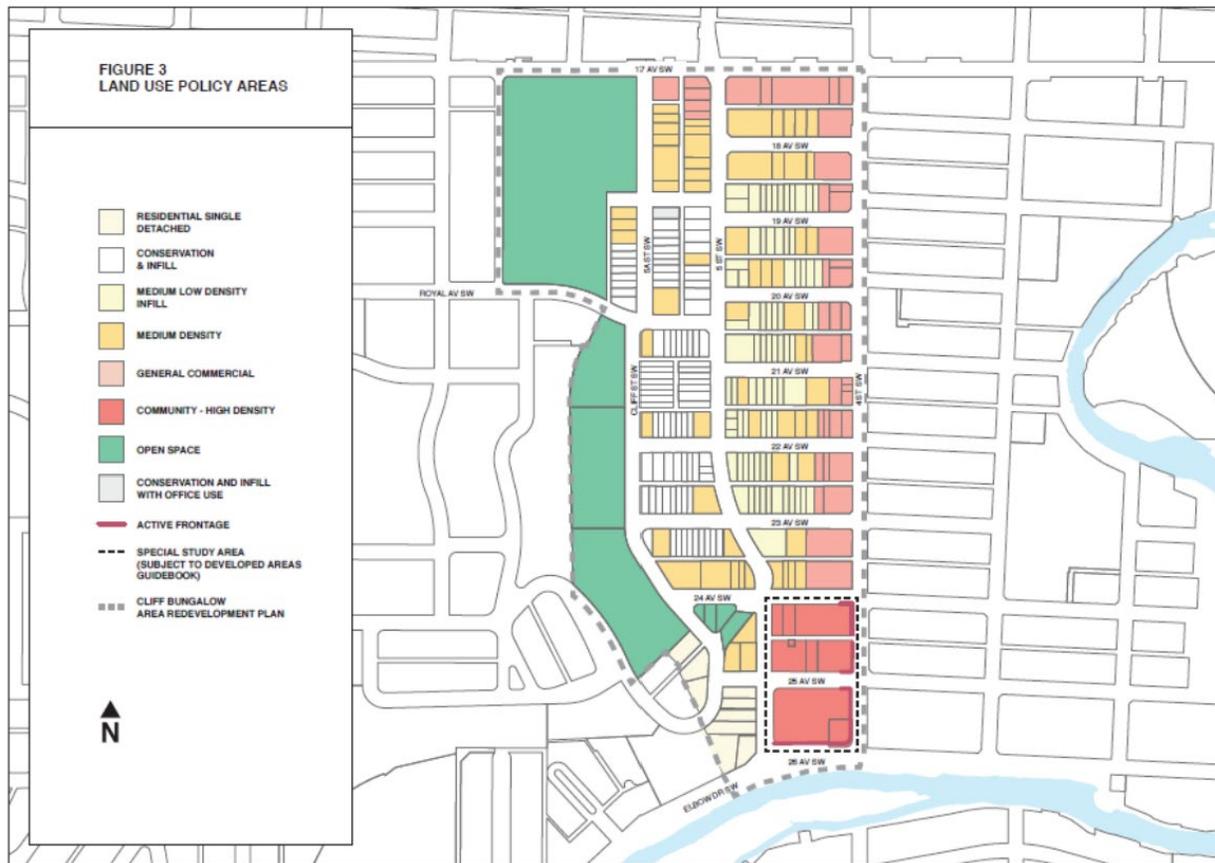


Figure 1. Land Use Policy Areas within Cliff Bungalow

The “Conservation and Infill” Policy Area consists primarily of low-density residential structures, and thus allows for the development of single-detached, semi-detached and townhouse dwellings (both row-townhouses and courtyard style townhouses). As shown in the map below, this remains contextually appropriate in part because the “Conservation and Infill” Policy Area of Cliff Bungalow is contiguously bounded by the low-density residential areas of Elbow Park (and Rideau and Roxboro) to the South and Upper Mount Royal to the West. The CBMCA believes these four blocks of primarily low-density, residential dwellings should thus be viewed as an extension of these low-density neighborhoods. As such, the “Conservation and Infill” Policy Area should be treated in-line with City Administration’s vision for other low-density residential areas within the inner-city, allowing for single-family homes, semi-detached dwellings and townhouses. From this perspective, the existing zoning of the “Conservation and Infill” Policy Area remains appropriate.

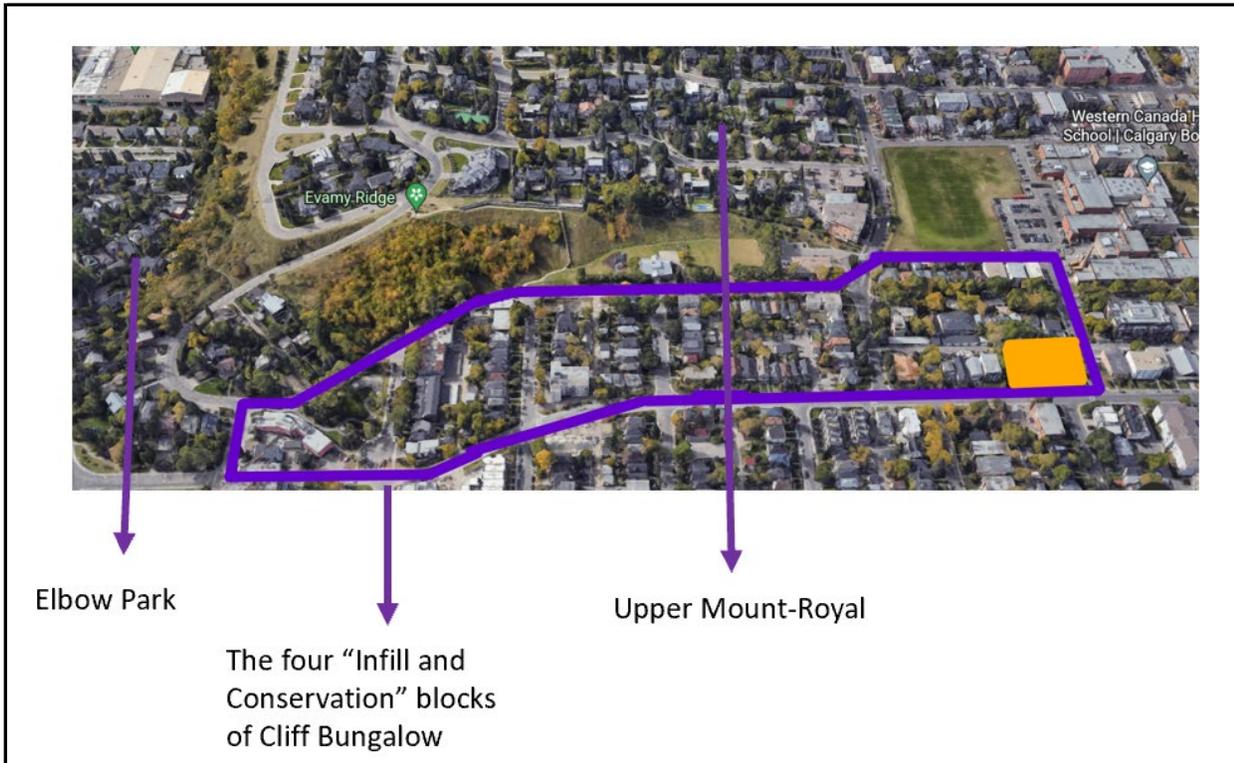


Figure 2. “Conservation and Infill” Policy Area of Cliff Bungalow relative to low-density residential neighborhoods of Elbow Park and Upper Mount Royal

The “Conservation and Infill” Policy Area largely consists of heritage homes and heritage apartment buildings, largely built between 1910-1920. Given that the “Conservation and Infill” Policy Area has been in existence for at least 35-years, it should be no surprise that it has attracted civic-minded homeowners and multi-family investors to the area that have used private capital to purchase, restore and steward their heritage homes and heritage apartments, furthering the MDP objective of historical preservation. As a result, the large majority of the block-faces within Cliff Bungalow’s “Conservation and Infill” Policy Area, fully meet the eligibility criteria for inclusion into the City of Calgary’s established “Heritage Area” framework.

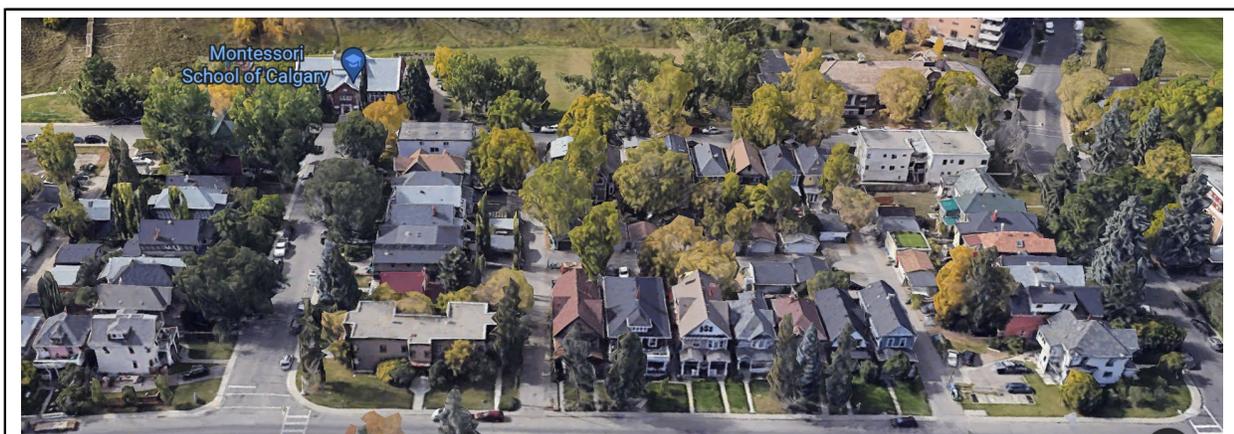


Figure 3. This west-facing aerial view of the Cliff Bungalow’s “Conservation and Infill” Policy Area illustrates its historical importance, including two municipally designated buildings and numerous heritage homes and small-scale apartments of historical importance. Almost the entirety of the roughly four blocks of Cliff Bungalow’s “Conservation and Infill” Policy Area fully meets the eligibility criteria for inclusion into the City of Calgary’s established “Heritage Area” framework.

Very few such intact blocks of Edwardian era homes still exist within Calgary’s established area. City Council and City Administration should be studying policy ideas to further strengthen this heritage

conservation policy area. The CBMCA believes that over time, these blocks could become one the only remaining living example of what Calgary looked like in the early-1900s. The idea that the homes within a heritage conservation area should be sacrificed for further densification as Calgary grows, in turn implies that heritage preservation matters less as Calgary’s population grows, when the opposite is true. The more Calgary ages, the more important heritage preservation of structures and areas becomes. And because of on-going suburban development, the proportion of heritage conservation areas within Calgary falls over time, even without considering that remaining unprotected heritage structures outside of conservation areas are demolished overtime to make way for redevelopment.

Ensuring a continuous flow of new housing as Calgary grows is an important objective, as is densification; however, this does not need to come at the expense of heritage structures and heritage conservation areas. Instead, densification should occur sensitively outside of heritage areas.

This parcel is a unique candidate for sensitive densification in the “Conservation and Infill” policy area. The CBMCA believes that while the “Conservation and Infill” Policy Area largely reflects good policy and appropriate zoning, this parcel is suitable for sensitive densification. As detailed in Figure 2, this parcel is located on the northern-east border of the policy area. Furthermore, in Figure 4 illustrates that the northeastern half-block on which this parcel is located has lost much of its historical importance and the parcel is surrounded by a number of medium-density, non-historical structures (outlined in purple).



Figure 4. This west-facing aerial view of the subject parcel shows it surrounded by many medium-density, non-historical, multifamily developments.

Furthermore, while the proposed development does not conform to the historically sensitive height and massing of the “Conservation and Infill” Policy Area, it does conform to the contextually appropriate height and massing for projects elsewhere in Cliff Bungalow. Furthermore, numerous design elements are historically sensitive, including the proposed materiality, contextual step-back after the third-floor, and general block-design.

Both M-CG and M-C2 are appropriate for this parcel

This parcel is currently zoned as M-CG, which allows for the development of townhouses. At least six recent townhouse projects have been completed within the neighborhood of Cliff Bungalow over the past 10-years (on M-CG and M-C2 parcels), most of which are contextually appropriate for the neighborhood.

And many of these projects have been built outside of the heritage conservation area. These projects are listed below, which suggests that the Medium Low Density zoning district remains appropriate within the historical neighborhood of Cliff Bungalow. Developers find it economic to develop townhouses in Cliff Bungalow, even when they could build something larger. And buyers remain attracted to new townhouse developments within the neighborhood.

- 538 23 Avenue SW – Completed in 2022
- 1818 5 Street SW – Completed in 2018
- 529-539 23 Avenue SW – Completed in 2015
- 1918-1924 5A Street SW – Completed in 2015 within the “Conservation and Infill” Policy Area
- 542-554 19 Avenue SW – Completed in 2011

That said, the M-C2 district – which allows for four to five story apartment style developments – is also contextually appropriate for Cliff Bungalow, which largely features a mix of parcels zoned either M-CG or M-C2 between 4th Street SW and 5A Street SW. The most recently completed M-C2 project completed in the neighborhood are listed below:

- 2320 5 Street SW – Apartment of 35 units, completed in 2022
- 1730 5A Street SW – Apartment of 33 units, completed in 2010
- 509 21 Avenue SW – Apartment of 23 units, Completed in 2006

The high-level attributes of the project proposed by the Applicant (FAR of 2.73 and a height of mostly 15.5m) is similar to the M-C2 district (maximum FAR of 2.5x and maximum height of 16m) that is ubiquitous within Cliff Bungalow. This suggests the FAR and height of the proposed project put forward by the Applicant would be contextually appropriate and largely aligned with the values outlined in the Cliff Bungalow ARP.

The CBMCA requests modifiers to restrict the height and FAR of any future development on this site

The CBMCAs understanding is that the Applicant is largely proposing a five-storey building (15.5m), with a small sub-section of a sixth-storey (19.2m) to allow for to a roof-top garden amenity. This is fairly similar to the maximum height allowance of the M-C2 district (16.0m). Additionally, the CBMCA understands the proposed building would have an FAR of 2.72x, which is a small relaxation relative to the M-C2 district (FAR of 2.50x) that is already ubiquitous within the neighborhood.

While the proposed project attributes (2.72x FAR and mostly 15.5m in height) largely conform to the Cliff Bungalow ARP, the M-H1 district initially proposed (max 4.0x FAR and maximum 26.0m in height) would not conform to the Cliff Bungalow ARP and would not be contextually appropriate for this parcel. As a result, to minimize unintended consequences, it is extremely important to the CBMCA that there are tight modifiers on the M-H1 zoning to limit any future development to the confines of a project that largely conforms to the M-C2 zoning district (albeit with minor relaxations).

In the event the proposed project falls through after the LOC-Application has been approved, this would still allow a similar development on the parcel to move forward at a later date, while also ensuring that any future development on the parcel remained contextually appropriate to the neighborhood.

Deep, street-facing setbacks and healthy trees are important attributes of Cliff Bungalow; as a result, the CBMCA has concerns about the proposed setback of this project

The neighborhood of Cliff Bungalow was designed as part of Mount Royal by John Olmsted.³ The neighborhood's architecture features deep setbacks and substantial tree plantings, reflecting both Garden City and City Beautiful design. In addition to the deep setback being an important architectural landscape feature in and of itself, a deeper setback also allows for a wider root system, which in turn allow for healthier trees and a wider tree canopy (another important attribute of Cliff Bungalow).

The CBMCA believes that any new development within the neighborhood of Cliff Bungalow should be designed in such a way as to respect these design principles. And by extension, any LOC Application should also adhere to these principles.

The deep setback along the west-side of 5th Street extends in an almost uniform manner between 17th Avenue and the Elbow River. The CBMCA believes the proposed setback of 2.1m along 5th Street SW is insufficient; modifiers on any new land district should require a minimum setback of 5.7m. This is an issue of immense importance to the CBMCA. However, during discussions with the Applicant, it became clear that a deep setback was not economically feasible given the courtyard amenity and significant setbacks of the proposed development (both of which were proposed to reduce adverse impacts on neighboring parcels). The CBMCA realizes this is a reasonable trade-off, even if the CBMCA is not fully supportive of it.

3. Social and Environmental Considerations

The loss of heritage homes is a loss for the community identity and character

The loss of three heritage homes (as defined by their pre-1945 construction date) within the historic community of Cliff Bungalow is unfortunate and should be acknowledged. The loss of these specific heritage homes is compounded due to their location within Cliff Bungalow's "Conservation and Infill" Policy Area and the homes' likely eligibility within a Comprehensive Heritage Area.

While these buildings are unlikely to have individually qualify for listing on the Heritage Inventory, they are considered to have broader significance as they are part of a concentrated group of similar assets—described collectively as a heritage area. For a block-face that exceeds the required threshold of 50% Heritage Assets, which this block-face seemingly meets, a Comprehensive Heritage Area (DC) could be defined and would include design regulation of future builds on the block face. With the loss of these heritage homes, this block face along 5th Street would lose its eligibility status for this heritage conservation program.

The loss of mature trees is a loss for the community

The presence of mature trees is an important character feature for the community of Cliff Bungalow-Mission. The proposed development would result in the loss of many mature trees on these lots as well as on public property. This should also be acknowledged. The CBMCA would appreciate if the Applicant is able to maximize the number of trees saved.

³ Frederick Olmsted's son, who had been the of the head of the firm for over a decade at the time he designed it

The change in land-use has clear negative implications for surrounding homeowners, especially those facing 5A Street

The proposed land-use change has adverse impacts for those living nearby, especially those living in single-detached homes along 5A Street SW (across the laneway from this parcel). These are citizens of Calgary and residents of Cliff Bungalow that made a significant financial and emotional investment when deciding to purchase in the neighborhood. Many have spent considerable funds, time and energy rehabilitating their own heritage home within Cliff Bungalow's "Conservation and Infill" Policy Area, an activity that also furthers MDP Objectives (heritage preservation). For many of these residents, the M-CG zoning on the parcel at 1901 5 Street was likely a consideration when they purchased their own home. From this perspective, ad hoc land-use changes introduce a level of unpredictability that is inappropriate and unfair for these community residents. Like the loss of heritage homes and mature trees, the adverse impacts on these residents should also be acknowledged.

The CBMCA believes that it is the City's responsibility to provide a stable planning regime that provides residents with a sense of security as to what the future of Calgary looks like. The practice of spot upzoning is in direct conflict with this responsibility.

The CBMCA is cognizant that the Applicant has put implemented several thoughtful design proposals within the massing model that would limit the adverse impacts on surrounding residents as it relates to step-backs, setbacks, fenestration, and shadowing. In the event this LOC Application is approved, City Administration has a joint responsibility to further explore ways in which these adverse impacts can be minimized wherever possible. Addressable concerns raised to the CBMCA thus far include:

- City Administration should consider traffic calming measures along Cliff Street (including speed bumps), especially near the Calgary Montessori School and children's playground.
- The intersection at 19 Avenue SW and 5A Street is becoming increasingly dangerous due to blind spots, especially as it pertains to inexperienced drivers entering and leaving the Western Canada High School Parking lot. Measure to improve safety – both for drivers and pedestrians – should be explored, primarily a four-way stop at this intersection.
- The Applicant should investigate the technical and economic feasibility of saving the blue spruce tree at 1905 5 Street SW. Mature trees could also be incorporated into the proposed courtyard of the proposed development.

4. Discussion of concerns around density bonusing and community benefits

For a variety of reasons, the community of Cliff Bungalow-Mission has a clear position that commensurate community benefits need to be a major component of any LOC Application that entails any "spot up-zoning" application.

The CBMCA is comfortable with the proposed voluntary, on-site community amenities put forward by the Applicant, including (1) traffic-calming curb bulb outs at the intersection of 19th Avenue and 5th Street; and, (2) the creation of a public boulevard along 19th Avenue. These amenities will contribute to residential ambiance of the "Conservation and Infill" Policy Area and increase tree-canopy in the community.

Importantly, both proposed amenities align with the CBMCA's guidelines on community amenities, outlined in Annex II. Specifically, the proposed amenities are durable, located on-site or in the local-area, and the developer is not requesting inappropriately high density or height increases in return for community benefits.

More broadly, the CBMCA continues to advocate for a holistic, "Made in Calgary" density bonusing policy. Neither the inflexible 75% bonusing cost in place within the Beltline, nor the "voluntary" bonusing policy in place outside of the Beltline represent good policymaking for the Established Areas of Calgary's inner-city. It is in the best long-term interest of all stakeholders to develop a well-considered, equitable and flexible policy framework while stakes are low than to risk the implementation of a knee-jerk, populist policy framework after a political flash-point occurs.

Annex I. The existing approach to sensitive densification within the community of Cliff Bungalow-Mission is achieving exceptionally strong results. This provides strong evidence the sensitive density policies outlined within the Cliff Bungalow ARP are both appropriate and effective.

Cliff Bungalow-Mission is a successful model of sensitive densification within the confines outlined within their ARPs. And this sensitive densification is working to help achieve the densification objectives outlined within the MDP. The Cliff Bungalow Area Redevelopment Plan is a values-based, statutory document developed to inform the Bylaws by providing direction which is specific and appropriate to our district, and remains very relevant to smart growth within the community.

New developments within the Cliff Bungalow-Mission community over the past five years have increased the implied population of the community by ~7% (implied population capacity growth of 447 people relative to a total population of ~6,500 in 2019) proving the success of the sensitive densification policies outlined within the ARPs of community.

Development	Year of Completion	Dwellings lost	Dwellings gained	Incremental dwelling count	Implied population growth	Compliance with ARP	Community Position (Objection or No Objection)
Matrix Apartments	2023	4	67	63	95	Yes	No Objection
Alicia Townhomes	2022	2	6	4	8	Yes	No Objection
Elva Apartments	2022	4	61	57	86	Yes	No Objection
The Block on Fourth	2022	0	39	39	59	Yes	No Objection
Riverwalk Retirement Facility	2022	36	141	105	131	No	Objection
Beverley Apartments	2021	8	35	27	41	Yes	No Objection
The Bergin	2020	2	21	19	29	Yes	No Objection
Total		56	370	314	447		

Exhibit 2. Residential developments completed or under construction within Cliff Bungalow – Mission over the most recent five years (2019-2023) have led to an implied population growth of 447 over this period. The CBMCA has not objected to six of the seven proposed developments, underscoring the community’s value of supporting incremental density and development when proposed projects adhere to the confines of the Community’s ARP. This also suggests that many projects are viable within the confines of the ARP within these communities.

Population estimates	Cliff Bungalow-Mission	Calgary
Population (2019)	6,480	1,285,711
Population growth (2019-2023)	447	69,389
New population (2023)	6,927	1,355,100
Implied population growth (2019-2023)	7%	5%

Exhibit 3. The population of Mission-Cliff Bungalow is growing proportionally faster than Calgary (~7% vs ~5% between 2019-2023) as a whole, illustrating the attractive of Mission-Cliff Bungalow to Calgarians and the success their respective ARP’s in creating policies that allow for strong densification while retaining the historic character of the communities.

In comparison, the City of Calgary is estimated to grow ~5% over this same period. This means that if every community had been as successful as Cliff Bungalow-Mission in adding density over the past five years, the entirety of Calgary’s population growth could have been fully confined to existing neighbourhoods (and then some) over this period. The community of Cliff Bungalow is already punching well above its weight relative to Calgary’s MDP objective of having 50% of all population growth occur in established communities.

This underscores that the fabric of the Cliff Bungalow-Mission community is attractive. It also underscores that the policies embedded within the ARPs of Cliff Bungalow-Mission are not only valid, but immensely successful and highly effective in creating a community where people want to live and where developers are able to add significant amounts of incremental density within the confines of the ARP policies.

Furthermore, its contextually important to note that this densification is incrementally adding to an already dense community. At an average density of 8,945 people/km², Cliff Bungalow – Mission is Calgary’s third most dense community (see for example, China Town at 8,274 people/km² and Beltline at 8,999 people/km²). Cliff Bungalow-Mission is one of the most desired communities exactly for that reason – its ability to accommodate many people and small businesses while retaining a ‘sense of place’ and cultural context. The CBMCA stresses the importance for City Administration and City Councillors to protect what makes the community of Cliff Bungalow-Mission special and attractive (which includes the predominance of new multifamily complexes with massing of 4-6 storey).

Annex II – Proposed Approach to Community Amenities and Density Bonusing

To the knowledge of the CBMCA, the City of Calgary does not have a formalized policy to pass zoning by-laws involving increases in the height or density in return for the provision by the owner of community benefits. The CBMCA thus looked to Section 37³ of the City of Toronto for guidance. Below are the most pertinent policy considerations that the CBMCA would use in a discussion of community benefits:

1. The proposed development must represent good planning. An owner/developer should not expect inappropriately high density or height increases in return for community benefits and the City should not approve bad development simply to get community benefits.
2. Good architecture and good design are expected of all developments, as a matter of course, and are not eligible as community benefits. If the CBMCA were to accept good architecture and/or good design as eligible benefits, it would be signalling that lower standards are appropriate in developments where community benefits are not used, which is definitely not the case.
3. No citywide formula should exist in determining the level of community benefits. An example of such a formula would be that the cost of community benefits should be at least 30% of the increased land value resulting from the density increase. As a result, community benefits are to be negotiated on a case- by-case basis, and the amount or value of the community benefits in relation to the value of the density or height increase varies from project to project or from one area of the City to another.
4. Community benefits should be specific capital facilities, or cash contributions to achieve specific capital facilities. This principle contains two important sub-principles: a) community benefits should be capital facilities; and b) those capital facilities should be specific capital facilities. Community benefits should be durable.
5. There should be an appropriate geographic relationship between the secured community benefits and the increase in height and/or density in the contributing development. The priority location for community benefits should be on-site or in the local area.
6. The Ward Councillor should always be consulted by City Planning staff prior to any negotiation of community benefits. The Ward Councillor has a role, if he or she wishes, in determining what benefits should be the subject of negotiation between the City and the developer/owner, and should always be consulted prior to negotiations with the applicant.
7. City Planning staff should always be involved in discussing or negotiating community benefits with developers/owners. City Planning staff has a particular responsibility to ensure that the Official Plan policies are being complied with, and must recommend an appropriate package of community benefits when the staff report recommending approval of the proposed development is forwarded for Community Council consideration.

³ [https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the- Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf](https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf)