



STAFF REPORT ACTION REQUIRED

Avenues and Mid-Rise Buildings Study and Action Plan – Supplementary Report

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| Date: | June 1, 2010 |
| To: | Planning and Growth Management Committee |
| From: | Chief Planner and Executive Director, City Planning Division |
| Wards: | All |
| Reference Number: | pg10041 |

SUMMARY

On May 19, 2010, the Planning and Growth Management Committee deferred the *Avenues and Mid-Rise Buildings Study and Action Plan* report from the Chief Planner and Executive Director, City Planning. The report dated May 4, 2010, included the *Avenues & Mid-Rise Buildings Study* prepared by a consultant team led by Brook McIlroy Planning + Urban Design/Pace Architects. The report recommended that staff use the Performance Standards for Mid-Rise Buildings contained in Section 3 of the Consultant's Study when reviewing mid-rise building proposals for a two-year monitoring period and identified matters that should be incorporated into the 2011 statutory five-year review of the Official Plan.

This supplementary report responds to recommendations made by the Planning and Growth Management Committee on May 19, 2010, that the study should emphasize the stability of neighbourhoods and recommends that Recommendation 5 included in the May 4, 2010 report be amended to provide Community Council greater control over the potential use of Enhancements Zones on the *Avenues*. This report also recommends that Attachments 6 and 7 of the May 4, 2010 report be replaced with the updated Attachments 1 and 2 in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Recommendation 5 of the report dated May 4, 2010 from the Chief Planner and Executive Director, City Planning be deleted and replaced with the following "The Staff report for action – Avenues and Buildings Mid-Rise Study and Action Plan – Supplementary Report

Chief Planner and Executive Director only consider Enhancement Zones as a local solution after being approved for consideration by Community Council following a Community Council process to determine that community consultation has occurred and if it meets the criteria.”

2. Attachments 6 and 7 in the report dated May 4, 2010 from the Chief Planner and Executive Director, City Planning be deleted and replaced with Attachments 1 and 2 in this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A report and Consultant’s study was prepared for the May 19, 2010 meeting of the Planning and Growth Management Committee on the Avenues and Mid-Rise Buildings Study and Action Plan. The report and study were reviewed by the Committee and were deferred to the June 16th meeting, and a number of motions were made. This report responds to the motions.

COMMENTS

The report (May 4, 2010) from the Chief Planner and Executive Director, City Planning recommended that staff use the Mid-Rise Performance Standards when reviewing proposals on the *Avenues* for a two-year monitoring period. The Consultant Study and staff report focussed on tools and Performance Standards to encourage well-designed mid-rise buildings on the *Avenues* and did not emphasize the importance of neighbourhood stability to the same extent.

The Performance Standards are intended to be used as tools to implement both the Official Plan’s *Avenues* and *Neighbourhood* policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan. This Section states that development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* should:

- a) be compatible with those Neighbourhoods;
- b) provide gradual transition in scale and density, as necessary to achieve the objectives of this Plan through stepping down of buildings towards and setbacks from the Neighbourhoods;
- c) maintain adequate light and privacy for residents in those Neighbourhoods; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

The policy objectives of the Official Plan helped to guide the development of the Mid-Rise Performance Standards.

Over the course of the two-year monitoring period, the Performance Standards may be modified or added to if the intent of these policies is not being met. Any changes to the Zoning By-law as a result of the Performance Standards will require a public consultation process.

Enhancement Zones

The May 4, 2010 report discussed the potential use of Enhancement Zones as referenced in the Consultant's Study. Enhancement Zones are a tool developed during the St. Clair Avenue Study process to address the limitation of very shallow properties on a wide right-of-way. The revitalization of the *Avenues* does not depend on the use of Enhancement Zones but they can be considered as one potential tool to encourage mid-rise buildings in constrained areas. In addition to requiring a City-initiated Official Plan Amendment, the report outlined a list of criteria for identifying *Avenues* or portions of *Avenues* where further study is needed to determine where an Enhancement Zone might be desirable and beneficial.

The May 4, 2010 report states that “criteria for selecting *Avenues* or portions of an *Avenue* where further study is needed may include:

- areas where a mid-rise building could not be achieved with existing lot depths;
- areas where an Enhancement Zones would help a development meet all the Performance Standards including rear transition;
- areas where Enhancement Zones would help create a logical rear lane system, extend or widen an existing lane way;
- areas where new buildings must be set back to accommodate minimum sidewalk requirements;
- areas where the introduction of Enhancement Zones could be applied to the majority of the blocks along the *Avenue* Segment; and
- areas that have generally uniform lot pattern within the block.”

In response to Planning and Growth Management Committee motions, staff has determined that in addition to the criteria identified above, Enhancement Zones should only be considered as a local solution through a local study process which includes public consultation to ensure that community consultation has occurred. This process would be reported on to Community Council.

In the absence of Community Council support for consideration of Enhancement Zones, the Performance Standards for rear transition to *Neighbourhoods* should apply. The two Performance Standards (5A and 5B, excluding the Enhancement Zones) which deal with this issue have already been incorporated into Standard Sets 2 and 3 in the new draft city-wide Zoning By-law. Both of these rear transition measures already exist in current or former Zoning By-laws within the City.

The appropriate rear transition condition depends in part on property depth. The Consultant has recommended the following definition for deep and shallow lots:

| Planned Right-of-Way width | A deep lots is greater than or equal to: | A shallow lot is less than: |
|----------------------------|--|-----------------------------|
| 20 metres | 32.6 metres | 32.6 metres |
| 27 metres | 41 metres | 41 metres |
| 30 metres | 44.6 meters | 44.6 meters |
| 36 metres | 51.8 metres | 51.8 metres |

The Consultant's study proposes that for deep lots, a 7.5 metre setback and a 45 degree angular plane measured from the rear property line is recommended, and for shallow lots a 7.5 metre setback and a 45 degree angular plane measured from a height of 10.5 metres above the rear setback line is recommended. The two conditions emerged from a review of completed Avenue Studies and existing by-laws throughout the City.

The maximum allowable height for mid-rise buildings is determined by a 1:1 ratio with the planned adjacent right-of-way width. Achieving the maximum height however, is dependent on meeting all the Performance Standards, including rear transition to *Neighbourhoods*.

The 19 Performance Standards are intended to work together to produce well-designed mid-rise buildings on the *Avenues*, and anticipate a reasonable height while ensuring acceptable sunlight, separation and transition to adjacent stable neighbourhoods.

Conclusion

The two-year monitoring period will allow staff to make any necessary adjustments to the Performance Standards to ensure the stability of neighbourhoods. The proposed change to Recommendation 5 gives assurance that Enhancement Zones will only be considered as a solution to encourage mid-rise buildings on shallow lots on wide right-of-ways by Community Councils when community consultation has occurred.

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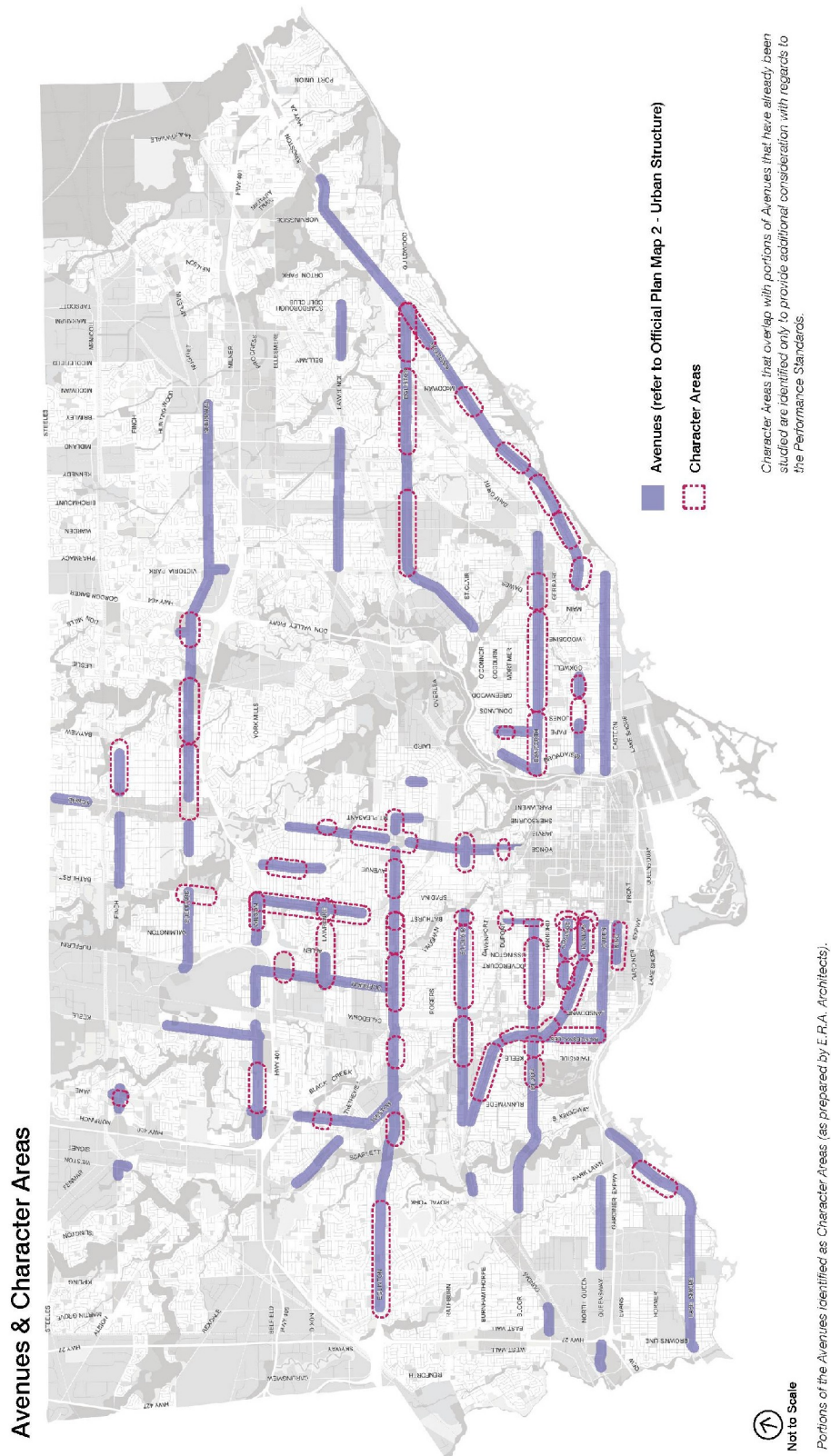
SIGNATURE

Gary Wright
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Revised *Avenues* and Character Area Map
Attachment 2: Revised *Avenues* and Established Districts (retail at grade is required)

Attachment 1: Revised *Avenues* and Character Area Map



Attachment 2: Revised *Avenues* and Established Districts (retail at grade is required)

Avenues & Retail-Commercial At-Grade

