



**Confederation of Resident & Ratepayer
Associations in Toronto**

November 2, 2015

Mayor John Tory and Members of Council
Toronto City Hall, 100 Queen Street West
Toronto, ON M5H 2N2

Atten: Ms. Marilyn Toft, Council Secretariat Support
clerk@toronto.ca

Dear Mayor Tory and Members of Council:

RE: PG7.1 Mid-Rise Building Performance Standards Monitoring City Council Meeting No. 10 – November 3 and 4, 2015
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The mid-rise recommendations call for changes in planning practice, zoning by-laws and the Official Plan. They are premature because the recommendations have been released without public notice, without consultation in areas that may be affected. There was insufficient time given for anyone to meaningfully engage to consider the impacts, intended and unintended, and to participate in making positive change locally, at the ward level or on a city-wide basis.

It is CORRA's position that the proposed recommendations as a whole should not have advanced to Council but be referred back to Planning and Growth Management Committee (PGMC), and therefore should not be adopted at this time in their entirety with the exception that identified corrections and / or mistakes that are technical in nature be corrected to allow for a clean base document on which substantive issues are to be considered.

CORRA's Preferred Recommendation requests that:

1. City Council direct staff from the Strategic Initiatives, Policy & Analysis (SIPA) section of City Planning to report back to Planning and Growth Management Committee at its March 2016 (or any reasonable agreed upon date) to address the substantive issues raised by CORRA and others and to allow standing committee to receive and consider representations, written and oral submissions, on the proposed and / or revised recommendations.
2. The base document and maps be amended by the identified corrections and / or mistakes that are technical in nature to allow for a clean base document on which substantive issues are to be considered.

The main reasons supporting this recommendation are:

- Notice and adequate time to consider the report, recommendations, and impacts were not provided despite the written and oral requests made. Notice and time to review are significant and fundamental requirements in the public process that are not remedied by advancing these recommendations to Council now.

- To have SIPA report back will add objectivity and clarity to the findings and recommendations and appropriately address the Official Plan and Zoning framework and requirements.
- The City planning budget allows for SIPA involvement and this is an appropriate use of resources and is consistent with CORRA's / City supported recommendations during the budget process.
- It will provide members of Council with a better balance of information to assess the recommendations from the more local ward perspective and from a city-wide perspective. The information would be received from staff close to the project, from an objective policy staff perspective and from written and oral submissions from the public that includes ratepayers, residents, and their groups among others who have a more intimate contextual knowledge of their areas.
- This is the public's minimum requirements of the process on how local democracy should work and we should insist that it not be eroded at the expense of better and more informed decision-making.
- What will the costs be borne on the City's current and future taxpayers when tall and mid-rise buildings (mid-rise buildings at 10 + storeys are tall buildings in low-rise areas) are permitted most everywhere outside areas designated for growth?
- Has the City considered the unintended and indirect costs of displacement, housing affordability, additional service requirements and the potential cannibalization of existing vibrant communities that work?
- Is the City to continue to rely on the existing hard infrastructure in place to service this widespread build out? And is this how the City proposes to manage growth?

CORRA's Alternate Recommendation:

Should Council decide not to refer the item back to standing committee, CORRA is recommending the following critical amendments (that may be augmented by other groups based on their local situation and is not limited to or meant to be comprehensive) to stave off the unwarranted changes in planning practice, zoning by-laws and the Official Plan:

1. That City Council amend the Applicability of the Mid-Rise Building Performance Standards (M-RPS) to:
 - a) Ensure the standards are applied to and limited to the *Avenues* as originally intended.
 - b) Require the standards not be applied on a site by site basis unless the site is evaluated in the context of the area with equivalent area studies as provided in the Official Plan.
 - c) Remove recommendations that the mid-rise guidelines override existing zoning, area zoning, area plans and secondary plans. In particular not to undermine and place all secondary plans at risk to guidelines without comprehensive studies.
 - d) Remove recommendations allowing for density ranges and not to permit such guidelines to override applicable law – zoning and area zoning – and not to pre-determine the appropriate density without following the legislated requirements.
2. That City Council amend Amenity Space to remove the requirements of private balconies for all units especially in Character Areas and certain neighbourhoods where balconies are not a predominant feature.
3. That City Council amend M-RPS concerning Height such that overall height of mid-rise buildings include mechanical penthouses.

4. That City Council amend M-RPS concerning Height such that overall height of buildings in Character Areas be reduced to 0.8 : 1 of the road right of way, or perhaps lower as determined by the existing context.
5. City Council to amend M-RPS concerning retail uses at grade to permit additional uses based on the local context.

CORRA's summarized position and specific amendments to staff's chart of recommended actions is attached to this submission.

Thank you for considering CORRA's submission and request.

Sincerely,

CORRA's Executive Team
corratoronto@gmail.com

Attached: CORRA's Summarized Position and Specific Amendments

CORRA's Summarized Position and Specific Recommendations to Council
Mid-Rise Building Performance Standards – Monitoring Report
Agenda Item PG7.1 – Council Meeting November 3, 2015

CORRA's Preferred Recommendation is that:

1. City Council direct staff from the Strategic Initiatives, Policy & Analysis (SIPA) section of City Planning to report back to Planning and Growth Management Committee at its March 2016 (or any reasonable agreed upon date) to address the substantive issues raised by CORRA and others and to allow standing committee to receive and consider representations, written and oral submissions, on the proposed and / or revised recommendations.
2. The base document and maps be amended by the identified corrections and / or mistakes that are technical in nature to allow for a clean base document on which substantive issue are to be considered.

CORRA's Alternate and Specific Recommendations

Should Council decide not to refer the item back to standing committee, CORRA is recommending the following critical amendments (that may be augmented by other groups based on their local situation and is not limited to or meant to be comprehensive) to stave off the unwarranted changes in planning practice, zoning by-laws and the Official Plan:

1. To amend Recommended Actions under General Comments headed "Applicability of Performance Standards" as follows:

- a) Mid-Rise Performance Standards are to be applied to and be limited to the *Avenues* with this change:

DELETE this part of the Recommended Actions:

"Recommended that the Performance Standards should apply to sites that meet all three of these criteria: In areas with existing land use designations for *Mixed Use Areas, Employment, Institutional, or some Apartment Neighbourhoods* where existing built form context supports mid-rise development; AND Front onto Major Streets on Map 3 of the Official Plan; AND Have planned right of ways 20 metres or wider."

- b) Mid-Rise Performance Standards / Guidelines will ensure area studies are performed if standards are used beyond the *Avenues*:

ADD to the beginning of the Recommended Actions the words:

"Recommended that the Performance Standards should apply: Where there are no height and density limits in the Plan and no area zoning implementing the Plan, height and density aspects of the proposal will be determined on the basis of an area review such as that undertaken to

implement Subsection 2.2.3.3.(b) of the Official Plan. Council will have due regard for the existing and planned contexts and may consider the need for a Secondary or Area Plan.

- c) Mid-Rise Performance Standards / Guidelines will not be used to undermine Secondary Plans and place other secondary plans at risk:

AMEND the statement in the Recommended Actions as follows:

Remove the words in the brackets: “[~~As well,~~] The Performance Standards may apply in some Secondary Plan Areas [~~where the Plan may not be up to date or~~] where they are specifically referenced through comprehensive studies.

- d) Removing density ranges will eliminate the prejudging of density limits until appropriate studies are done:

DELETE the following words:

“As well, introductory text should provide guidance about the appropriate density range for mid-rise buildings.”

2. To amend Recommended Actions under General Comments headed “Amenity Space” as follows:

DELETE the following words in the Recommended Actions:

“Recommend that private balconies that meet the Performance Standard #12 be encouraged for all units.”

3. To amend Recommended Actions under 2010 Performance Standard concerning Height to remove the projected height and wrap around amenity space as follows

PS #1: Maximum Allowable Height

- a) **Amend** the part of the Recommended Actions by **DELETING** the following words in the first bullet point: “Consider” and add at the end of the bullet “after consultation with stakeholders, interested members of the public and BIAs, ratepayers, residents, tenants and their groups.”
- b) **Amend** this part of the Recommended Actions by **ADDING** the words to the recommendations: “Mechanical Penthouses should be encourage to be within the total building height limit.”

PS #13: Roofs & Roofscapes

Amend this part of the Recommended Actions by **ADDING** the words “Mechanical Penthouses should be encouraged to be within the total building height limit.”

4. To amend Recommended Actions under 2010 Performance Standard concerning Height for Character Areas to be more context sensitive as follows:

PS #19 A-G: Heritage & Character Areas:

Amend the words in the second bullet by **DELETING** “Consider further work to restrict” and **ADDING** the word “The” before “total” and **ADDING** after “height” the words “be restricted”.

The amended statement would read as follows: “The total building height be restricted to 16 metres or 80% of the 20 metre right-of-ways for specified Character Areas.”

5. To amend Recommended Actions under 2010 Performance Standard concerning Retail at Grade as follows:

PS # 10: At Grade Uses – Residential

Amend the words in the Recommended Actions by **DELETING** “Retail at grade” and replacing it with the words “retail / commercial / live-work at grade”.