



November 13, 2015

Chair Shiner and members of the Planning and Growth Management Committee
City of Toronto
City Hall
100 Queen Street West
Toronto, Ontario

Dear Chair Shiner and members of the Planning and Growth Management Committee,

RE: Agenda Item PG 8.12 Draft Townhouse and Low-Rise Apartment Guidelines

The Building Industry and Land Development Association (BILD) is in receipt of the staff report and draft version of the Townhouse and Low-Rise Apartment Guidelines and on behalf of the members of the BILD Toronto Chapter we offer you the following comments.

We recognize that this project is not being brought to forward for implementation and that the guidelines will return to this committee at its May 11, 2016 meeting. However, we wanted to take this opportunity to reiterate a list of our detailed and outstanding comments that were submitted to staff on July 31st and address new issues that have arisen from this revised iteration of the guidelines.

BILD BACKGROUND

When this topic was first introduced for review, our members were very pleased with the City's direction. They believed that this was an opportunity to modernize the existing guidelines for infill townhouse development projects and provide appropriate guidance for stacked back-to-back townhomes. In response to this direction, BILD created a working group of builders, developers, architects and planning consultants to review the draft document. BILD has had a very high level of member engagement throughout the process to date.

City staff provided an introductory presentation to BILD Toronto Chapter members at our June 24th meeting and participated in a technical consultation meeting with the delegates of the BILD working group on September 29th. BILD's working group held several internal working group meetings in an effort to prepare our initial response to the guidelines and this submission to Committee. Our Chapter members are heavily invested in this review and it is essential to note that we have a shared interest in implementing a set of guidelines that is successful.

Recommendations

- **Upon receipt and review of the latest guidelines on November 6th, BILD's working group was concerned that many of our comments were not reflected in the document. BILD members would like to request clarity as to how the industry's comments informed the draft guidelines. In scenarios where our comments were not incorporated, we kindly request a rationale for these decisions.**

- **BILD’s working group would also request commentary on how the concerns and recommendations of the Design Review Panel have been addressed.**

GUIDELINES IN CONTEXT

The City of Toronto’s existing planning approvals process is extremely complex and multi-dimensional. Every additional set of guidelines adds a new layer of complexity to the development approvals process with little regard for the synchronization within the existing policy regime. BILD’s working group believes that these guidelines need to fit into the overall planning regime of the City’s Official Plan, specifically the Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods policies of the Official Plan, where these types of developments would likely occur. The City may decide that the cumulative effect of these documents, in conjunction with the existing Secondary Plans, by-laws and OBC requirements, would render the current Development Infrastructure Policy & Standards (DIPS) obsolete.

OVERALL SENTIMENT

In the past, City of Toronto staff have said that ‘guidelines’ are not intended to be prescriptive, rather they are intended to provide applicants and City staff with guidance for development application. In reviewing the document, our members do not agree with this departure from this ‘guidance’ approach to a more rigorous approach.

BILD members do not object to the intent of the guidelines - on the basis that the guidelines are not to be treated as regulation or policy, and that they are applied in a balanced manner taking into consideration all applicable policy objectives of the Official Plan. BILD’s working group has clearly indicated with consensus that they are fundamentally concerned with the current draft of the guidelines, as there is a disconnection between the purpose of the document and the granular details within it. Our members do not see a balance being created between the protection of stable residential neighbourhoods and the allowance of appropriate infill development and intensification for family-sized housing.

BILD and its members believe that the current guidelines work against the efficient and feasible delivery of a housing type that is typically entry-level housing for families that cannot afford detached homes, but still want to live in the great neighbourhoods of Toronto.

Recommendations

- **The guidelines should allow sufficient flexibility to ensure architectural creativity and innovative technology can be explored. Flexibility would also allow for these evolving housing types to continue, in order to meet the needs of the market.**
- **BILD members believe that adding two guiding principles, namely ‘housing affordability’ and ‘transit-supportive development,’ would be a positive start to strengthening the guidelines for ‘family-sized housing. Incorporating these principles would result in development-efficiency revisions to the guidelines. The technical comments in the following table below would be reflective of this type of review.**

Technical Comments

Section	Subsection	BILD Comments and Recommendations
Introduction	Definitions, page 8. Low-rise Apartment Buildings <i>“are less than 4 storeys high and share interior corridors...”</i>	Recommendation: That the City be consistent with the Avenues and Mid-rise building guidelines/study, when it states; “In Toronto, on the narrower 20 metre wide streets in the downtown, a mid-rise is 5 or 6 stories high.” This would require a change to the definition to the following: “are less than <u>5</u> storeys high and share interior corridors, vertical circulation and entrances, and have multiple units stacked vertically. Typically, units are located on both sides of a corridor (double-loaded) and, sometimes, only on one side of a corridor (single-loaded).”
Introduction	How and Where the Guidelines Apply, page 9.	Comment: Thank you for being consistent with the Mid-rise and Tall Building Design Guidelines by including interpretation clarity and guidance in scenarios where there may be a conflict of interests or an inability to achieve a particular requirement.
Introduction	Guiding Principles, page 9.	Recommendation: That the City be consistent with the City’s Official Plan and other key Council priorities, by adding two guiding principles, namely “housing affordability” and “transit-supportive development.” This would be a positive start to strengthening the guidelines.
1.0 Site Context – 5.0 Bringing it all together	All subsections.	Recommendation: Generally, this section of the guidelines needs to be reviewed to avoid prescriptive by-law language. Words such as “provide,” “create,” “locate,” and “employ,” should be changed to words such as “encourage,” “discourage,” or “where possible.”
1.0 Site Context	1.1 Context Analysis and Planning for Large Sites, Item C, page 14.	Recommendation: That the City be consistent and use the large residential development definition in the City’s Official Plan , Chapter 3, page 3-25, where it states; <i>“9. Large residential developments provide an opportunity to achieve a mix of housing in terms of types and affordability. On large sites, generally greater than 5 hectares in size...”</i>
1.0 Site Context	1.2.1 Street and Block Patterns, Item D and Rationale – first line of the third paragraph, page 17. <i>“New streets should be public and conform to the City’s Standards of quality.”</i>	Comment: BILD members believe that this determination should be done at the plan of subdivision stage and is not necessary to address in this section. Recommendation: BILD members request removal of this guidance.
1.0 Site Context	1.2.2 Public Parks and Open Spaces, Item C, page 18.	Comment: BILD members seek additional clarification as to how this would be achieved and its relevance in a set of urban design guidelines.
2.0 Site Organization	2.1 Streets, Mews and Walkways, Item A, second bullet, page 24. <i>“extend and connect to the local street network with multiple access points to avoid dead-end routes.”</i>	Comment: BILD members have advised that given the configuration and size of potential infill site, dead-end routes and mews may be unavoidable. Recommendation: Allow greater flexibility in this regard. Softer language such as “where possible” could lead the sentence accordingly.
2.0 Site Organization	2.1 Streets, Mews and Walkways, Item A, second bullet, page 25. <i>“Minimum 4.5m Front yard setback with</i>	Comment: The requirements in this section limit the efficiency of a development site, thereby reducing housing affordability and delivery of family-sized housing, especially for small infill sites. Recommendation: Allow greater flexibility in this regard by reducing the

	<i>front integral garage.”</i>	minimum setback.
2.0 Site Organization	2.1 Streets, Mews, and Walkways, page 27.	<p>Comment: Thank you for adding additional clarity for each type of path, we believe that this section could be strengthened by incorporating the following recommendation.</p> <p>Recommendation: That the City be consistent with the Accessibility for Ontarians with Disabilities Act, 2005, whereby the standard public sidewalk (clear path width) is 1.8m. This consistency would also change the building separation for primary access from 6.0m to 5.7m. It would also change the building separation for mid-block connections from 4.5m to 4.2m.</p>
2.0 Site Organization	2.3 Building Placement, Item K, page 30. <i>“Generally, provide breaks between buildings every 6-8 units”</i>	<p>Comment: BILD members have expressed concerns for this guidance as a suburban standard being applied in an urban context.</p> <p>Recommendation: BILD members believe that we should be dealing with the overall length to meet the Urban Design objective of not having overly long stretches of building without interruption (e.g. a townhouse block with 6.5 metres by 8 units is 52 metres in length and one with 5.0 metres by 10 units is 50m total, one is essentially shorter than the other even though it exceeds the number of units).</p>
2.0 Site Organization	2.5.1 Site Servicing, Access and Parking for Smaller Street-related Townhouse Sites, Items A, B, C, and D page 35.	<p>Comment: BILD members are concerned that this direction does not allow for the most efficient use of a small infill site.</p> <p>General recommendation: Allow greater flexibility in this regard.</p> <p>Recommendation for Item B: Be consistent with the City’s parking space dimensions, which is 5.6m in length and has been applied to existing projects.</p>
3.0 Building Design	3.2 Separation Distances and Setbacks, Item C and Table on page 40. <i>Requirement for a 7.5m rear yard setback and all separation distances seen in the table.</i>	<p>Comments: The guidelines seem to presuppose that townhouses and stacked townhouses are an incompatible built form in Neighbourhoods, when they are in fact a permitted built-form in Neighbourhoods as per the Official Plan. The requirements in this section also limit the efficiency of a development site, thereby reducing housing affordability and delivery of family-sized housing.</p> <p>Recommendation: Allow greater flexibility in this regard. The guidelines should reflect OBC requirements.</p>
3.0 Building Design	3.2 Separation Distances and Setbacks, page 41. <i>Requirement for a 45 degree angular plane.</i>	<p>Comment: See comments for separation, distances and setbacks, page 40. The requirement for 45 degree angular planes on page 41 is an inappropriate requirement in a low-rise neighbourhood.</p> <p>Recommendation: BILD members request removal of this guidance.</p>
3.0 Building Design	3.3 Building Relationship to Grade and Street, Items B, C and D, page 43.	<p>Comment: See comments for separation, distances and setbacks, page 40. Also, the grading conditions of a site may result in the need for a higher elevation.</p> <p>Recommendation: Allow greater flexibility in this regard. The guidelines should reflect OBC requirements.</p>
3.0 Building Design	3.4 Building Entrance and Front Yard, Porch, page 44. <i>“...maximum height above grade of 0.9m”</i>	<p>Comment: See comments for separation, distances and setbacks, page 40. BILD members have advised that this requirement does not accommodate for some forms and site conditions.</p> <p>Recommendation: Allow greater flexibility in this regard. The guidelines</p>

	<i>"allow encroachment of stoop or porch into front setback to a maximum of 1.8m from main building face and up to a maximum of 50% of the minimum front yard setback."</i>	should reflect OBC requirements.
3.0 Building Design	3.4 Building Entrance and Front Yard, Stoop, page 45. <i>"...be a maximum height above grade of 0.9m."</i>	Comment: BILD members have advised that this requirement does not accommodate for some forms and site conditions. Recommendation: Allow greater flexibility in this regard. The guidelines should reflect OBC requirements.
3.0 Building Design	3.4 Building Entrance and Front Yard, Below-grade Entrance, page 45. <i>"...maximum horizontal width and depth of 1.2m including the stair access and landing area." "...maximum vertical depth of 1.5m from the grade of the adjacent sidewalk."</i>	Comment: See comments for separation, distances and setbacks, page 40. BILD members also seek clarification, for this guidance as it appears to not provide for a sufficient depth to accommodate the stairs and landing. Recommendation: Allow greater flexibility in this regard. The guidelines should reflect OBC requirements.
3.0 Building Design	3.5 Private Outdoor Amenity Space, Above-Grade Terrace, page 47. <i>"raise terrace a minimum of 0.6m and a maximum of 0.9m above grade."</i>	Comment: See comments for separation, distances and setbacks, page 40. Also, the grading conditions of a site may result in the need for a higher elevation. Recommendation: Allow greater flexibility in this regard.
3.0 Building Design	3.5 Private Outdoor Amenity Space, At-Grade and Below-Grade Terrace, page 47. <i>"limit the vertical depth of the below-grade terrace to a maximum of 1.5m from grade." "...minimum horizontal depth of 1.5m and a maximum of 3.0m from the main building face to the below-grade terrace wall."</i>	Comment: See comments for separation, distances and setbacks, page 40. Recommendation: Allow greater flexibility in this regard.

We hope that you will take these comments into consideration and BILD's working group would like to take this opportunity to formally request additional stakeholder meetings with City staff. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



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