



STAFF REPORT ACTION REQUIRED

Mid-Rise Building Performance Standards Monitoring

Date:	March 11, 2016
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2016\Cluster B\PLN\PGMC\PG16045

SUMMARY

This report is supplementary to the Mid-Rise Building Performance Standards Monitoring report (August 28, 2015) and Mid-Rise Building Performance Standards Monitoring – Supplementary Report (October 27, 2015). The purpose of this report is to provide a consolidated recommendation and revised Attachment 1: Mid-Rise Buildings Performance Standards Addendum ("the Addendum") for City Council's consideration and approval.

The Addendum incorporates Councillor input from the February 24, 2016 Planning and Growth Management Committee meeting item PG10.9 Mid-Rise Building Performance Standards – Presentation and Consultation, as well as the deputations and previous motions of Committee and Council as summarized in the minutes for PG9.8 Mid-Rise Building Performance Standards Monitoring <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.8>.

City Council's approval of the Addendum is recommended as an interim approach to ensure that the feedback and recommendations from the monitoring period, stakeholder consultations and recent Committee and Council meetings are considered together with the 2010 approved Mid-Rise Buildings Performance Standards when City staff review mid-rise development applications or prepare area studies and policies involving mid-rise buildings, as well as during the development of draft urban design policies for public consultation as part of the Five Year Official Plan Review.

Updated Mid-Rise Building Design Guidelines will be prepared for consideration by Planning and Growth Management Committee in late 2017. The updated Guidelines will consolidate the 2010 approved Performance Standards and the Addendum, and will include stakeholder consultation, as well as relevant outcomes of the Five Year Official Plan Review and Ontario Municipal Board appeals of Zoning By-law 569-2013.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning Division recommends that:

1. City Council approve the Mid-Rise Building Performance Standards Addendum, Attachment 1 of this report, for City staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable, until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines in the fourth quarter of 2017; and
2. City Planning staff be requested to consult further on the Mid-Rise Building Performance Standards as part of the Five Year Review of the Official Plan and that staff propose policies with respect to mid-rise buildings to be incorporated into the Official Plan.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The following decisions are subsequent to the Decision History outlined in the August 28, 2015 Mid-Rise Building Performance Standards Monitoring report and October 27, 2015 Mid-Rise Building Performance Standards Monitoring – Supplementary Report.

At the November 3-4, 2015 meeting, City Council considered item PG7.1 Mid-Rise Building Performance Standards Monitoring, as amended, and referred the item back to Planning and Growth Management Committee with motions for further consideration. [u](#)

On January 20, 2016, Planning and Growth Management considered the Council-referred item as PG9.8 Mid-Rise Building Performance Standards Monitoring and carried two motions: the first to defer consideration of the item until the April 6, 2016 meeting and the second to request that City Planning Etobicoke York District staff give consideration to the deputations and motions in their review of mid-rise building development applications. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.8>

At the February 24, 2016 meeting, Planning and Growth Management Committee considered item PG10.9 Mid-Rise Building Performance Standards – Presentation and Consultation. The Committee directed that the comments from Councillors be forwarded to the Chief Planner and Executive Director, City Planning. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG10.9>

ISSUE BACKGROUND

Mid-rise buildings are an integral part of Toronto's past, present and future built form. As a building typology, mid-rise is an important 'in between' scale of building which can accommodate growth within designated areas across the city.

Mid-rise buildings have a good scale and relationship to the street, ranging between 4 and 11 storeys in height, but no taller than the width of the adjacent street right-of-way. They support a comfortable pedestrian environment, and animate the street by lining the sidewalk with doors and windows with active uses including stores, restaurants, services, grade related apartments, and community uses.

In Toronto, mid-rise buildings are required through zoning and guidelines to include setbacks, as well as stepbacks or terraces at upper levels to make them appear lower in height from the street, preserve sky view and sunlight on the sidewalk, and ensure appropriate transition to neighbouring properties. Visit www.toronto.ca/planning/midrisestudy.htm to learn more.

In July 2010, City Council adopted Mid-Rise Building Performance Standards to provide guidance on how to grow and intensify the City's *Avenues* in a way that is compatible with the adjacent neighbourhoods through appropriately-scaled and designed buildings (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>).

The 36 Performance Standards were prepared through a comprehensive four-year consultant study in collaboration with an interdivisional staff team and involved extensive public and stakeholder consultation. In 2010, City Council also requested that the effectiveness of these Mid-rise Building Performance Standards be monitored with a report to Planning and Growth Management Committee at the conclusion of the monitoring period.

The August 28, 2015 Mid-Rise Buildings Performance Standards Monitoring report summarizes the results of over five years of monitoring the Performance Standards through data analysis of 61 approved mid-rise building applications. The report also provides recommendations based on extensive consultation with City staff, City Council, and external stakeholders, such as local residents and ratepayer groups, architects, urban designers, planners and developers, as well as experiences at the Ontario Municipal Board and advice from the Design Review Panel. The report includes a Chart of Comments and Recommended Actions as Attachment 1 to refine the Performance Standards in response to the comments and feedback gathered from staff, stakeholders and public consultation.

The October 27, 2015 Mid-Rise Buildings Performance Standards Monitoring – Supplementary Report responds to a motion made by the Planning and Growth Management Committee on October 8, 2015, that staff report to City Council with a supplementary report on ways to mitigate, or best address, rooftop mechanical and other concerns raised by the public speakers on mid-rise buildings. The report includes a recommendation to revise Performance Standard #13: Roofs & Roofscapes to clearly

state that habitable space above the 1:1 right-of-way width to building height ratio is discouraged. The report also provides a list of issues raised by deputants at the October 8, 2015 Planning and Growth Management Committee meeting with a recommendation to include these matters in the Chart of Comments and Recommended Actions for further study.

Finally, at the February 24, 2016 meeting of Planning and Growth Management Committee, City Planning staff, at the request of a February 9, 2016 Letter from Councillor David Shiner, Ward 24 - Willowdale, Chair, Planning and Growth Management Committee, gave a presentation on the Mid-Rise Building Performance Standards and consulted with Councillors on outstanding issues and questions. While a number of the issues raised were common to the feedback already received, a few additional matters were brought forward for staff consideration and are captured within the comments section and Attachments of this report.

COMMENTS

This report is supplementary to the Mid-Rise Building Performance Standards Monitoring report (August 28, 2015) and Mid-Rise Building Performance Standards Monitoring – Supplementary Report (October 27, 2015). The purpose of this report is to provide a consolidated recommendation and revised Attachment 1: Mid-Rise Buildings Performance Standards Addendum for City Council's consideration and approval.

Performance Standards Monitoring and Consultation – Highlights

The August 28, 2015 Monitoring report provides a detailed overview of the five year mid-rise monitoring period, including findings and recommendations resulting from:

- analysis of 156 mid-rise development applications and 61 approvals;
- 23 Ontario Municipal Board appeals;
- 10 mid-rise project reviews at the Design Review Panel; and
- 7 stakeholder and public consultation sessions held January through June, 2015.

The report also highlights a number of initiatives which emerged during the monitoring period and influenced the recommendations and next steps for the Performance Standards, including:

- Five-Year Official Plan Review (on-going)
 - Heritage Policies – OPA 199 (2013)
 - Urban Design Matters – public consultation (2014)
 - Feeling Congested – public laneways (2014)
- Zoning By-law 569-2013 – Standard Sets 2 and 3 (2013)
- Eglinton Connects (2014)
- Mid-Rise Travel Survey (2014)
- Pembina Institute Report: 'Make Way for Mid-Rise' (May 2015)
- Ontario Building Code Reform (2015) – wood-framed buildings
- How Does the City Grow? (2015) – reported growth on the *Avenues*

A detailed summary of comments received for each Performance Standard with Recommended Actions is included in Attachment 1 of the August 28, 2015 Monitoring

report. A number of the Performance Standards either need no change or only minor adjustments while a few are suggested to be removed altogether. In a few cases, it is suggested that the Performance Standard be reinforced through new Official Plan policies. A few Performance Standards require substantive change (such as retail entrances, additional sidewalk zones), and there is a need for an additional Performance Standard that addresses extra deep lots and irregularly shaped buildings. There may also be a need in the future for a more nuanced approach to address heritage policies and the 'Character Areas' on the Avenues.

In general, the monitoring, consultation and initiatives outlined in the August 28, 2015 Monitoring report reinforce that the Performance Standards are effective and play an important role in helping to shape new mid-rise development in areas across the city where such building types are appropriate and the Standards are deemed applicable.

Performance Standards Monitoring and Consultation – Additions

The recommendations found within the August 28, 2015 Monitoring report are well-grounded in research, applied experience and stakeholder consultation. However, as is the case with all standards and guidelines, the work is ongoing and evolves as new challenges and opportunities continuously emerge.

As noted in the Issue Background above, subsequent to the August 28, 2015 Monitoring report, City Planning prepared a Supplementary Report for City Council (October 27, 2015), delivered a presentation on the Mid-Rise Building Performance Standards and consulted with Councillors on outstanding issues and questions. Each matter raised through consideration of the Performance Standards at the recent meetings of Committee and Council is documented within Attachments 7 and 8, and incorporated into the revised Attachment 1: Mid-rise Building Performance Standards Addendum.

Mid-rise Building Performance Standards Addendum

The "Chart of Comments and Recommended Actions" included as Attachment 1 in the August 28, 2015 Monitoring report, forms the basis of the revised Attachment 1: Mid-rise Building Performance Standards Addendum ("the Addendum") contained in this report.

As noted above, the Addendum incorporates the recommendations of the October 27, 2015 Supplementary Report, as well as Councillor input from the February 24, 2016 Planning and Growth Management Committee meeting item PG10.9 Mid-Rise Building Performance Standards – Presentation and Consultation, and the deputations and previous motions of Committee and Council as summarized in the minutes for PG9.8 Mid-Rise Building Performance Standards Monitoring <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.8>.

Matters raised which relate more broadly to the Performance Standards or mid-rise buildings are addressed within the General Comments Section found within the front portion of the chart. Where a direct connection with a Performance Standard exists, new comments and staff recommended actions are inserted directly into that specific section of the chart. Underlined text is used to identify each addition or revision.

The Addendum will ensure that the feedback and recommendations from the monitoring period, stakeholder consultations and recent Committee and Council meetings are considered by City staff together with the 2010 approved Mid-Rise Buildings Performance Standards where the Performance Standards are deemed applicable to the review of mid-rise developments or preparation of area studies and policies involving mid-rise buildings.

The Addendum will also be referenced to inform the development of draft urban design policies for public consultation as part of the Five Year Official Plan Review, with a report to Planning and Growth Management Committee in the fourth quarter of 2016.

Key Revisions within the Performance Standards Addendum

As mentioned, Attachment 1: Mid-Rise Building Performance Standards Addendum incorporates a number of revisions, as underlined in the chart, which reflect and respond to the additional feedback concerning the Mid-rise Building Performance Standards received at the recent meetings of Committee and Council.

Key revisions contained within the Addendum include:

- clarification concerning the relationship between Secondary Plan Areas and the use of the Performance Standards (Applicability of Performance Standards);
- the addition of recommended actions for Consultation, Context and Infrastructure;
- extensive clarification regarding the definition and determination of mid-rise building height (Performance Standard #1); and
- clarification on the presence and integration of rooftop equipment and mechanical penthouses (Performance Standard #13)

The recommended actions within the Addendum are intended to serve as an interim supplement to the 2010 approved Mid-Rise Building Performance Standards while updated Mid-Rise Building Design Guidelines are prepared in consultation with external stakeholders.

Updated Mid-rise Building Design Guidelines

As part of the 2017 City Planning work program, updated Mid-Rise Building Design Guidelines will be prepared in consultation with external stakeholders, such as resident's associations, development industry representatives, design professionals and other interested groups and members of the public. The updated Guidelines will:

- consolidate the 2010 Performance Standards and the Addendum;
- develop new guidelines or refine existing ones to address the directions for change set out in the Addendum or emerging from further monitoring of mid-rise development in Toronto; and
- incorporate relevant findings and outcomes from the consultations and policy development of the Five Year Official Plan Review, as well as any resolutions of the Ontario Municipal Board appeals of Zoning By-law 569-2013.

The updated Mid-Rise Building Design Guidelines will be stylistically formatted into the City of Toronto urban design guideline template and presented for consideration by Planning and Growth Management Committee in late 2017.

Conclusion

City Council's approval of Attachment 1: Mid-Rise Buildings Performance Standards Addendum is recommended as an interim approach until updated Mid-Rise Building Design Guidelines are completed and considered by Planning and Growth Management Committee in the fourth quarter of 2017.

Approval of the Addendum will ensure that the feedback and recommendations from the monitoring period, stakeholder consultations and recent Committee and Council meetings are considered by City staff together with the 2010 approved Mid-Rise Buildings Performance Standards where the Performance Standards are deemed applicable to the review of mid-rise developments or preparation of area studies and policies involving mid-rise buildings. The Addendum will also be used to inform the development of draft urban design policies for public consultation as part of the Five Year Official Plan Review.

Preparation of updated Mid-Rise Building Design Guidelines in 2017 will include consultation with external stakeholders, such as resident's associations, development industry representatives, design professionals and other interested groups and members of the public. The updated Guidelines will consolidate the 2010 approved Performance Standards and the Addendum. They will also incorporate relevant outcomes of the Five Year Official Plan Review and Ontario Municipal Board appeals of Zoning By-law 569-2013. The updated Mid-Rise Building Design Guidelines will be stylistically formatted into the City of Toronto urban design guideline template and presented for consideration by Planning and Growth Management Committee in late 2017.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Mid-Rise Building Performance Standards Addendum

Attachment 2: Data Summary

Attachment 3: Draft Visual Inventory

Attachment 4: New Table of Contents

Attachment 5: Summary of Survey

Attachment 6: Chief Planner Roundtable Summary

Attachment 7: Full List of Issues from Deputants (October 8, 2015 PGM)

Attachment 8: Summary of Comments and Questions (February 24, 2016 PGM)