

City of Toronto Official Plan Review: Public Realm & Built Form Policies

BILD Toronto Chapter Stakeholder Meeting

Date and time: December 5, 2018 11am-12pm
Location: Goodmans LLP, 333 Bay Street, Toronto

Meeting Overview

On December 5, 2018 the City of Toronto (City) attended a BILD Toronto Chapter meeting to present and discuss the Draft Official Plan Review: Public Realm & Built Form policies. BILD is one of the key stakeholder groups identified for this project. The purpose of the meeting was to consult with BILD members on the draft public realm and built form policies being proposed by the City as part of the 5 Year Official Plan Review. The City gave a presentation on the draft policies being proposed under Section 26 of the Planning Act which was then followed by a question and answer period that was facilitated by Dillon Consulting.

This document provides a record of the question and answer (Q&A) period.

Attendance

In total 26 BILD Toronto Chapter members attended the event. There were 6 City staff present and 1 Dillon team member.

Question and Answer Period

The Q&A discussion is summarized below. Questions are noted with a "Q", comments are noted with a "C" and answers with an "A".

Q. Can you share the presentation with us?

A. Yes.

Q. Would you like to establish a long term working group with BILD members on this?

A. We would actually like to receive all the input from stakeholders and the public by early January. We are aiming for January 7, 2019 to receive input. That gives our team the time we need to review the input, make revisions or have follow-up meetings where needed and prepare reporting to Council in March. So we prefer not to establish a long term working group as we are working towards an early spring 2019 submission to Committee and Council.

Q. Can we have another BILD meeting in January if needed?

A. Yes. We can arrange this with Carmina.

Q. For the policies around the height of mid-rise as it relates to the right-of-way, what are the exceptions? You noted that there may be some exceptions to this, what would those be and where?

A. We will review applications on a case by case basis to determine if an exception to the height requirements is warranted. Overall we want the right-of-way width to guide the height but this will be informed by the right-of-way in question. For example, there are some deeper sites where, at the centre of the development, it may be reasonable to go higher than the right-of-way width given the step backs and angular plane can be achieved and where the development can achieve more height and still be sensitive to the surrounding uses and streetscape.

Q. For tall buildings, you said that we need 25 metre separation from building to building and you have the 12.5 metre distance from lot lines, do you require both? If we meet the 25 metre tower separation but have say 8 or 10 metres to lot line can we do that?

A. The policy states you must meet both. Otherwise an Official Plan Amendment (OPA) would be required.

Q. With some historic mid-rise and in some areas where mid-rise is desirable, changing the height limit to be the right-of-way may result in the building qualifying as tall because it could be slightly more than the right-of-way. Where does the transition from mid-rise to tall occur in an area that historically been considered mid-rise? What if we have a mid-rise floor plate and end up in the tall category because of the right-of way?

A. The policies are categorized to distinguish between the different building types. If a building/site does not fit this then that would trigger an OPA for those specific sites. At different scales, if certain parts of the policies are too ambiguous then the City can continue to meet with those people that want to discuss specific sites. It's important to note that mid-rise has always been attached in some way to the right-of-way.

Q. In the Official Plan there needs to be some recognition for some hybrids. There are in-betweens.

A. Yes and those in-betweens would likely require an OPA.

C. We need to address what the type is and identify if we can remove the ambiguity.

A. We should set-up a specific working group for this. We will work with Carmina to set that up in January.

C. Regarding OPA's, BILD members do not want to trigger an OPA, especially if we are meeting the intent of what the City wants.

A. The City agrees and so we will have a working group in January to identify where the key policies issues are for this and work through them.

Q. Is the 750 number for floor plate a "should" statement or a "will" statement.

A. It is a "should" statement.

Q. Can the 12.5 metre from lot lines be a "should"?

A. Could. We will consider it.

C. Requiring an OPA can cause a whole host of issues for appeals. Particularly with the LPAT process. We have to prove that the City does not conform with policy and if you require an OPA then how can we prove that? An OPA inherently means you don't conform. In addition, this opens the door for more political involvement in the process as Councillors may decide what conforms. If a building does not conform because of a minor setback issue then that is something that could be discussed and does not seem reasonable to push to OPA which then potentially triggers a challenging LPAT process.

A. As mentioned we will set up a working group for a time in January to go through this in depth. In the meantime, if you have detailed comments on the draft policies please submit them to Steven.Dixon@Toronto.ca. We would like to receive comments prior to the working group so that we can prepare for that and ensure that the meeting is useful.

These meeting notes have been prepared by Dillon Consulting. Please submit any errors or omissions to MWillemse@dillon.ca.

**Stakeholder Meeting Summary:
City of Toronto Design Review Panel
(DRP)**

Summary for Design Review Panel Stakeholder Meeting

Time + Dates: December 13, 2018 1:40 to 2:40 PM

Location: Toronto City Hall, Committee Room 2

Number of Attendees: 10

Purpose of Public Meeting:

The purpose of this public meeting is to consult with stakeholders from City of Toronto Design Review Panel (DRP) on the Draft OP Public Realm and Built Form policies. Attendees will learn about the process undertaken to date to draft the policies, how the policies fit with the broader goals of city building, what the policies include and address, and what the next steps are in the process of review and adoption. Attendees will have the opportunity to review the policies and provide their feedback.

Description of Overall Approach:

This meeting with the DRP occurred as part of a regularly scheduled DRP meeting (see the attached agenda). As such, the meeting was a condensed version of the full stakeholder meeting. Rather than having facilitated break out groups and table discussions, the format involved a Q+A and commentary period where each member provided their comments on the draft policies. The meeting began with a presentation from Steven Dixon, the Project Manager. A copy of the background materials was provided to all DRP members in advance of the meeting.



CITY OF TORONTO DESIGN REVIEW PANEL

AGENDA: MEETING 12 – Thursday December 13, 2018

City Hall, 100 Queen St W, Committee Room 2 (located on second floor)

- 12:00 pm** **Call to Order** - Chair's Review of Agenda
- 12:00 pm** **1 Delisle Avenue (1st Review)**
Application: OPA & Rezoning
Developer: Slate Asset Management
Presentations:
- Kevin Friedrich, Community Planning
- Studio Gang Architects
- 1:30 pm** **Break – 10 minutes**
- 1:40 pm** **Five Year Official Plan Review: Built Form & Public Realm Policies (2nd Review)**
(First Review was November 2014)
Presentations:
- Steven Dixon, Strategic Initiatives, Policy & Analysis, City Planning Division
- 3:00 pm** **Adjournment**

The following is a record of the comments and questions raised by the DRP, and the responses provided by Steven Dixon. “C” indicates a comment, “Q” indicates a question, and “A” indicates an answer provided by Steven Dixon (unless otherwise indicated).

Question and Answer Period

Q: The language speaks to mixed use and residential. What about other uses such as commercial and industrial? In the past we didn’t deal with floorplate – why now?

A: For commercial and industrial buildings, there is work that needs to be done not just with floorplates but with many other design elements. At this stage, the work we’ve done has focused on the residential and mixed-use side of built form. The next phase could include other uses.

Q: There are some policy statements about cycling in the draft policies, are these priorities? Requirements?

A: We have added in the policies connections to the cycling network. There are a number of transportation policies that are being discussed – with consultation happening in January, dealing with the broader cycling network. But the urban design policies deal with the connections to the existing network.

Q: How are you determining what is mandatory and what is not? There are a lot of “wills” and “should considers” in the text.

A: A will is mandatory. Other municipalities use “shall”, Toronto uses “will”. "Should" and "should consider" are objectives but not necessarily mandatory, depending on context. We are trying to strike a balance with development applications between what we make mandatory and what may have more flexibility.

Q: Allowing daylight and sunlight – there are no targets applicable. How are these measured? How are they achieved?

A: With the existing urban design guidelines for the various building types, we have elevated certain standards into the policies where possible and appropriate. Whereas in some cases like sunlight, we don’t have that exact measurement yet, that is another phase that is coming forward. Sun, wind and

pedestrian comfort is the next phase of the urban design review. If measurements or targets come up at that time, we can consider adding them to policy. We just don't have that numerical backing yet.

Q: Is there a sense about providing an overall framework and where this (OP) document fits into that?

A: Something that we do in the Plan is provide sidebars and explanatory text, where we can reference other documents and guidelines. With regards to the Zoning Bylaw, there are policies in the Plan about the implementation of the OP in Chapter 5.

Q: What is the City's experience with language difference, such as planning language vs. legalise. Particularly the ways in which the difference between the two languages causes things to be interpreted differently at the OMB. Is there a way of having the language stand strongly in a legal challenge?

A: We absolutely consider language when drafting the policies. Every policy was drafted with a critical eye to how policies have been interpreted in the past – to make sure that we have the right balance between planning terminology and legalize.

A (Leo DeSorcy, Manager, Urban Design – City Planning, City of Toronto): To get to these policies, we have had a large series of public outreach for years, we also had roundtables and internal working groups. All of the staff involved have put forward their word changes, and we are also meeting with other groups, stakeholders, BILD. Our goal is to have the simplest and least disputable language. We hope to get it right and certainly appreciate your input.

Q: This language seems somewhat small here now, so do you mean that we are to interpret that this is tougher language than how we are reading it?

A: This OP has to inform all of our actions as Planners. We are trying to write built from policies that deal with Rexdale, Rosedale, the Waterfront, and every other neighbourhood in Toronto. The point of these policy goals is to give the higher level direction that is worked out in more detail with numbers, sometimes in secondary plans. They are intended to be the goals and a list of principals at the city-wide level. BILD has been really clear to us about taking certain numbers and moving them up into secondary plans and policy.

C: As you work your way through the document, there are specific numbers. We appreciate the specificity.

Q: In regards to understanding intentions around the numbers, for example the 750m² floor plate size, I thought that this had already been embedded in the OP a few years ago.

A: That was only applied downtown.

Q: We are entering the era of the super tall – there are buildings that are being built substantially taller. There was an interesting example from earlier today, where a new building was proposed where the base was wider and then it got smaller as it got higher, in a circular shape. If you embed these numbers clearly in the OP, how does that impact someone coming in with a super tall building or with a creative proposal like this?

A: That is why we left it as a general requirement; it is typically the maximum threshold for a tower floor plate. The last policy – policy 9 - says that tower separation setbacks and step backs of buildings will increase as heights increase. If a floor plate starts at 750 and you get higher, we do want to see the separation distances between towers increase, which can be achieved by decreasing the floorplate as you get higher.

Q: So it is hinging on the word “generally” – is there is an implied “but” here?

A: There is not a “but”. 750 is the max. However, "generally" is used because we do not want to require OPAs for those instances where a building is appropriately designed for its context and may be slightly above the 750m² threshold. This policy works with policy 9 so that as you go up you may need to adjust those numbers.

Q: If I bring a super tall and I need a floor plate of 1000 instead of 750. Do I need an OPA?

A: For a residential tower, yes

Q: And if it was 775?

A: Depending on context you may or may not.

Q: This goes back to “wills” and what is mandatory and what is not. It says buildings “should be”... I’m reading that as not mandatory. The “will” is the 25 metre and the 12.5 metre. How do these get applied?

A: The 25m separation and 12.5 tower setbacks are requirements, and therefore the word "will" is used. The intent is to see if the site is appropriate for a tall building. The idea that not all sites are

appropriate for tall buildings is currently part of the OP. In this case, by establishing a number it helps determine if a site is appropriate – if you can't meet the separation distance, perhaps a tower isn't appropriate for the site and you may need to consider a different building type.

COMMENTARY

Each DRP member in attendance provided their commentary on the draft policies. A record of this is below.

DRP Member #1:

My comments are predicated on the lack of clarity and what we are looking at here on this document:

- 1) As I see the hierarchy of documents with OP at the top, below is rezoning, site plans, etc. I am actually comfortable with the language that is indicated here, which is general in nature. I am a little confused about “wills” and “shall” – I don't think an overarching document should be using both – either pick shall or will.
- 2) Using an example – I was involved in the planning approval for the Queens Park Complex (which was a base and shaft on top of a tower) there was considerable talk about a base always meaning a podium. The language in this document talks about a base being appropriate contextually, and the language fits – I appreciate this.
- 3) What I don't appreciate is the specificities – floorplates and separation distances. There are many different circumstances where a good floorplate number would differ and to have to go to an OPA for something that may be good or exciting for the City is the wrong emphasis. I think those should be taken out of the document. They should be issues that are zoning issues.
- 4) In terms of overarching issues, I question the cycling thing – I think there should be an overarching statement about where cycling fits in, since we are moving towards more types of transportation in the City.
- 5) I think there should be consideration given to the ability to aggregate open spaces wherever possible, rather than being smaller spaces around development parcels.

DRP Member #2:

- 1) Very happy to see guidelines being extended from the tall buildings to mid and low rise typologies. It speaks to the way that the city should be giving them strength. I think that's

excellent. I am very happy to see the formalization of the block context plan. We are often looking for the contextual view of a site, and this gives us that.

- 2) I don't necessarily agree with my colleague about formalizing certain numbers, I recognize that there is a huge range available to them, and giving them a number needs to continue to evolve.
- 3) I am very visually inclined as a designer, and it would help us to have a preface when presented with something visual – I wish there was a word document with track changes.
City Response: A track changes version is available online. We debated about which version to provide you with today.
Comment: Giving us both would've been one way of helping us.
- 4) Private roads within developments – there are many larger developments outside of the core – we should find a way in the OP to have them designed as streets, because they often starve the middle of those blocks from safety, shade, and scale - if there is some way to include that in these policies, it would help improve streets.
- 5) The document should be permeated with design excellence and sustainability.

DRP Member #3:

- 1) I am also a visual thinker so I appreciate [DRP Member #1's] comments.
- 2) I echo [DRP Member #1's] comments about mid-rise and low-rise gaining official status, because I do think tall buildings guidelines has helped encourage healthy dialogue.
- 3) I also agree that the block plan and formalizing what is required is a great move.
- 4) I agree with [DRP Member #2's] about feeling worried about siting specific numbers because it would seem to me that the OP is a document that establishes benchmarks that we all generally agree to. And beyond that there is room for negotiation, so I think that we don't want to hamper any of those very good discussions. For example, a POP space is an intelligent move on the City's part that allows you to be more creative in creating more publicly accessible spaces. This is an example of where I don't want to hamper the discussions about opportunities that don't fit into the proposed framework.

DRP Member #4:

- 1) Language really does matter – I think especially in a document like this, it has to be concise and precise and very clear. I found a number of examples where it was anything but clear. “Giving prominence” to heritage to me isn't something meaningful. What does comfortable mean? Scale vs. height – those two words are confused in the document. Transition is in height, not in scale. The words need to be thoughtfully put together to give clarity to the development industry at large. I think the document needs a lot of work in this regard.

- 2) There are lots of documents that have great graphics that support the text, perhaps the City can look at these to get an idea about how to best present the text.
- 3) I wonder if a lot of this document is what I would call “downtown centric”. I wonder if this plan would support Jane and Finch? Parts of McCowan Road? A comfortable sense of urbanity comes off the page, but there are other parts of the city [other than downtown] – I question whether it has enough diversity to reflect the rest of the city.
- 4) The built form happening needs to be reflected in the City. The squashing and the supertalls are what we are going to get up to 2050 – is that reflected here?
- 5) I think there is a big gap between mid-rise and tall buildings. Needs more research here. At Adelaide and Peter Street there is a 16 storey portion along Adelaide. Is that a tower? I don’t think so, it doesn’t have a tower form. But some people have been using the word “tall mid-rise” to describe it, but this document seems to limit mid-rise to the right-of-way. We need more explanation of robust built form. We need to figure out how to integrate more density into parts that are resisting change.
- 6) What about a winter city or a very hot/humid city... from a built form perspective, people are putting more effort into extending comfort outdoors. What can we do through built form and urban design to extend comfort outdoors in the face of climate change?
- 7) In regards to the floorplate size thing and where it ought to reside – I am still wondering about this. It may be too much detail for an OP document.
- 8) The OP is way up here, it’s really dense with overarching objectives but it isn’t weighty on detail. I found myself disagreeing with many of the policies. Maybe sometimes a hotel entrance is better than an on street entrance.
- 9) What do these words really mean? If I was defending something at OMB how would I use the language to support or defend something? I wasn’t clear on that
- 10) We need more work on transitioning towers. On the “base, middle and top” convo – I wonder about that language and whether we need to move beyond it. It has a more traditional understanding of buildings about it. But how a building meets the ground and sky is what matters, it’s really about those transitions, not necessarily those components. I think our language should catch up to this.
- 11) I am skeptical about the numbers – there is inconsistency between the Tall building guidelines and the language here.
- 12) Block Context Plans – I think they are terrific. The thing I am concerned about is obliging the pioneer on a block. Leaving it to a proponent to be responsible because they are the first one, is a challenge. Where possible, encourage landowners to come together. If the city can support that that would be terrific.

- 13) My suggestion is not to edit an old document and make it new. My suggestion is to start fresh with a new writer.

DRP Member #5:

- 1) What I think is positive is the revisions bring the public realm into prominence and have been given definitions.
- 2) One thing that the document might do is provide reference and direction from the OP to other documents. For example, it might say if you are going to put a development in look at the Toronto Green Standards. Or if you want to make a great street – look at Toronto’s beautiful streets document.
- 3) By the time developers get down to soil volumes, they can’t accomplish them. What is the penalty? Usually cash-in-lieu. It is going to be difficult to get the kind of ideals envisioned in this document into real life, because I think there are too many conflicting obstacles in engineering, etc. The OP brings all departments together and I am not sure that changing a doc with just revisions is the way to go. It needs an oversight committee with everyone in the city with a stake in the public realm and how the city grow should contribute to this, in a coordinated effort. I’m not sure how that gets done.

DRP Member #6:

- 1) I agree with [DRP Member #5] – when I look at public realm and soil plan and design of streets, it seems great but the feasibility of achieving those goals seem a bit difficult. The soil plan I think we need a Terms of Reference similar to the Block Context Plan. It seems like it’s within the development boundaries itself, but for some smaller sites where there isn’t on site soil area - maybe we need to look for something that provides the feasibility for trees in the Right-of-way. There is validity but they need to be extended (bring in transportation on how to make it achievable).
- 2) Block Context Plan from LA perspective – it would be great for me. I would enjoy to be involved in the early level on how the public realm is working.
- 3) In parks and POPs portion – it’s good to start talking about these and outlining some of their elements. I looked at wording and language – and there is ambiguity to make it work either way, based on the 10 items listed.
- 4) Emphasizing the relationship between public realm and built form is great.

DRP Member #7:

- 1) DRP Member #4 said a lot of my comments.

- 2) Heritage – when I first read that, I underlined the word prominent to understand what that means. I think it freezes heritage in time, but it also assumes what we build today is not heritage in the future. What is heritage is always moving. It’s more important to have buildings that work in harmony, than to necessarily target heritage buildings. Heritage is not a fixed point and what we are building today ideally should be the heritage of the future.
- 3) How to judge language – what is “appropriate” - what is the mechanism for someone applying and reviewing on what is defined as appropriate?
- 4) Some cases have broad statements, and then some have a great amount of specificity. Policy #9 under built form – a whole list is given, but I don’t think we need that level of detail – new things will come up. I wonder if that should be somewhere else.
- 5) The concept of public art is wherever the developer agrees it should be - I wonder if public art should be part of the block plan – be more ambitious!
- 6) Quality design – design competitions, etc. is mentioned in the document, but is it silent in the Built Form Section. Maybe there should be a correlated policy in the Built Form Section (for example - good design excellence for buildings)
- 7) I don’t think we should be promoting sustainability – it should be mandatory. We are long past the idea that it’s just a nice thing to have.

DRP Member #8:

- 1) Page 2 of 10 on quality design and construction – one of the things that is hardest to talk about. Defining design excellence is a difficult thing. We can’t expect someone to have a design competition for everything they do. More language about design excellence and quality design is needed.
- 2) So much of the city’s landscape is based beyond the core. We need to recognize those other space types.
- 3) Make sure language is defensive at OMB.

DRP Member #4:

- 1) What constitutes a site that is suitable for a tower? There is giant pressure to get towers on smaller and smaller sites, so how can we use language here to reinforce what we need.

DRP Member #9:

- 1) We have seen some beautiful documents from the city, whereby in creating the graphics, the words just pop. Look at those – they elevated dry content into something that speaks to you, gets the message through and is taken seriously.

Stakeholder Meeting Summary:
Toronto Association of Business Improvement
Areas
(TABIA)

Summary for TABIA Stakeholder Meeting

Time + Dates: January 15, 2019 2:00 to 3:00 PM

Location: Toronto City Hall, Committee Room 2

Number of Attendees: 30

Purpose of Public Meeting:

The purpose of this public meeting is to consult with stakeholders from The Toronto Association of Business Improvement Areas (TABIA) on the Draft OP Public Realm and Built Form policies. Attendees will learn about the process undertaken to date to draft the policies, how the policies fit with the broader goals of city building, what the policies include and address, and what the next steps are in the process of review and adoption. Attendees will have the opportunity to review the policies in detail, speak with project team members and provide their feedback.

Description of Overall Approach:

This meeting with TABIA members occurred as part of a regularly scheduled TABIA meeting. As such, the meeting was a condensed version of the full stakeholder meeting. Rather than having facilitated break out groups and table discussions, the format involved a plenary discussion of all the policies and the Block Context Plan among the entire group after a presentation was given by Steven Dixon, the Project Manager. A copy of the background materials was provided to all TABIA members in advance of the meeting.

The following is a summary of the key comments raised by TABIA members, and the responses provided by Steven Dixon (SD). They are organized by policy theme area.

Public Realm

- Positive response to the Block Context Plan showing cycling networks.
- How can policies incentivize complete streets and bike friendly spaces?
SD: OP policies for transportation include cycling and complete streets policies.
- What happens when one big development comes in and does not to follow the policies?
SD: The policies are being brought in under section 26 of the Planning Act, which means it cannot be appealed
- BIAs exist to beautify public property and some BIAs have developed urban design guidelines. Is there a role for BIAs to take carriage of public spaces? What standing will the BIA urban design guidelines have?
SD: the OP policies are the base standards that will apply across the whole city; there will still be guidelines applicable for certain areas/situations. The intention if the OP is flexible enough to allow the guidelines to be used as implementation tools. If BIAs have worked or work in the future with the City to establish guidelines these will continue to be used.

Built Form

- Many neighbourhoods have been developed prior to these guidelines so they will not apply
- BIAs would appreciate a single portal so that all submissions related to a BIA area are available in one place. This will help provide BIAs with comfort that consideration is being given to both individual submissions and the relationship between them
- What tools is the city offering to protect main streets when they go through development?
SD: a main street may have its own guidelines; the intent of the policies is to protect/enhance/fit in with neighbourhood character including matching the street wall
- Do these policies apply across the city?
SD: Yes, however secondary plans take precedence where they exist

**Stakeholder Meeting Summary:
Federation of North Toronto Residents'
Associations
(FONTRA)**

Detailed Agenda and Summary for FONTRA Stakeholder Meeting

Time + Dates: January 14, 2019 3:30 to 5:30 PM

Locations: Metro Hall 22nd Floor; CP Boardroom

Number of Attendees: 11

Purpose of Public Meeting:

The purpose of this public meeting is to consult with stakeholders from Federation of North Toronto Residents’ Associations (FONTRA) on the Draft OP Public Realm and Built Form policies. Attendees will learn about the process undertaken to date to draft the policies, how the policies fit with the broader goals of city building, what the policies include and address, and what the next steps are in the process of review and adoption. Attendees will have the opportunity to review the policies in detail, speak with project team members and provide their feedback. Attendees have been given the policies in advance.

Description of Overall Approach:

This stakeholder meeting was undertaken in a workshop style, with 2 break-out tables. A break in the presentation allowed time for feedback on each of the policy areas. Each table had a facilitator and a representative from the City project team on-hand to answer questions and address stakeholder comments. The discussions and stakeholder comments were recorded by the facilitator.

Agenda Items

	Time	Lead	Topic/Notes
1.	9:30 AM	Dillon Consulting	Project team arrives to confirm room setup
2.	10-10:10 (10 min)	Dillon Consulting	Welcome <ul style="list-style-type: none"> - Opening welcome and thank you remarks - Introductions - Housekeeping matters - washrooms, cell ringer off - Facilitator role - Provide brief overview of the meeting

	Time	Lead	Topic/Notes
3.	10:10- 10:20 (10 min)	Steven Dixon, City of Toronto	Introduction to Public Realm and Built Form <ul style="list-style-type: none"> - Touch on the importance of this project and the public's feedback - Tell the story of how we got here, context, process to date, the work the City has done to get to the updated policies
4.	10:20- 10:25 (5 min)	Steven Dixon, City of Toronto	Presentation on Public Realm Policies <ul style="list-style-type: none"> - Describe the policies – identify what is new and/or changing and what remains the same (pull out the key policies) - Explain how the additions/changes are linked to achieving the objectives of growth plan and good city building (complete streets, quality of life, etc.).
5.	10:25 - 10:50 (30 min)	Dillon Consulting	Public Realm Discussion <ul style="list-style-type: none"> - At table groups discuss the 4 public realm policy areas
6.	10:50- 10:55 (5 min)	Steven Dixon, City of Toronto	Presentation on Block Context Plan
7.	10:55- 11:05 (10 min)	Dillon Consulting	Block Context Plan Discussion <ul style="list-style-type: none"> - In plenary discuss the Block Context Plan
8.	11:05- 11:10 (5 min)	Steven Dixon, City of Toronto	Presentation on Built Form – General Policies <ul style="list-style-type: none"> - Describe the policies – identify what is new and/or changing and what remains the same (pull out the key policies) - Explain how the additions/changes are linked to achieving the objectives of growth plan and good city building (complete streets, quality of life, etc.).
9.	11:10- 11:25 (15 min)	Dillon Consulting	Built Form General Policies Discussion <ul style="list-style-type: none"> - In plenary discuss the General Policies
10.	11:25- 11:30 (5 min)	Steven Dixon, City of Toronto	Presentation on Built Form – Building Typologies

	Time	Lead	Topic/Notes
11.	11:30- 11:55 (25 min)	Dillon Consulting	Building Typology Policies Discussion <ul style="list-style-type: none">- At <u>table groups</u> discuss the policies for the 3 building types.
12.	12pm	Dillon Consulting	<ul style="list-style-type: none">- Thank-you, invite those remaining to sign-up for future communications

Meeting Summary

The following is a summary of the comments received from the 3 different facilitated tables, organized under each of the policy themes. Each table had a representative from the City project team to answer questions and address comments raised during the table and plenary discussions.

Table #1 Meeting Summary Notes

The discussion was facilitated by Daniel Hoang from Dillon Consulting. There were 2 City of Toronto staff members at this table: Jeff Cantos, Project Manager, Official Plan, City of Toronto and Sharon Hill, Manager, Community Planning.

General Comments

- What will the implementation look like? How do you hold developers accountable to these policies?
- The tone of the policies are positive
- Is it possible to add language that everything must go through the residents (consultation)?

Public Realm

- Too many policies – how will they be used? How will they be implemented?
- Issues with POPS – not clear to landowners that they are publicly-accessible. This needs to be backed up in legislation to make it work. For example, students are often told to get out of POPS even though they have a right to be using them – perhaps public education is required.
- When there are different ownerships on parcels of land, how do you put this all together? There are individual needs and wants that may conflict.
- The policies around streets should apply to City Works as well.
- POPS policy #20 – “invited to use” is weak language, as the public should already be invited to use. Perhaps consider standardization of times of use?
- Policy 4d “encouraging the use of skilled professionals” – how do you do that?
- Policy 21b – speaks about having “significant street frontage” but what about interior squares? What about squares that don’t front streets, but are still good squares? Perhaps this language is too restrictive
- Gas structures, such as Enbridge Installations – how do these hinder the policies?

Block Context Plan

- How do you identify the blocks in the BCP?
- Will there be “high priority blocks” in the BCP?
- The BCP is a great idea. Positive reaction and support for the BCP.

- How do you coordinate the BCP between different developers?

General Built Form Policies

- The policies seem to be very general and more aspirational rather than policies themselves, so why bother with them? They are verbose and leave room for accidental or deliberate misinterpretation. General language makes it hard for Residents' Associations to defend at the OMB.
- This section could be more condensed, as it seems to be repetitive.
- What does "high quality design" mean?
- Toronto is a very grey city - can we add more colourful language here about using bricks, colour, materials of buildings, etc.
- Policy 5 should say "provide access to natural light **to** interior spaces", rather than **from** interior spaces

Built Form Policies

- Transitions from mid-rise to Avenues is an issue. The policies talk about transitions, but how will this actually occur? Stronger language is needed to manage this.
- Transitions are mentioned at the frontage of the street, but what about along the avenues and side streets?
- Wind should be a "will" for tall buildings. All others are a will, why is wind not?
- Where do supertall buildings fit in?
- Some concern about the 25m setback triggering a lot of OP amendments
- The policies should acknowledge the importance of visual termini
- The townhouse and low-rise policies are very good.
- Appreciation for the addition of new building typologies.
- Policy 9a – the word "albedo" is not public friendly. What does it mean?
- Policy 3c – replace "utility" with "use" – simpler and cleaner
- Policy 3d – use of "cross-ventilation" in this context is strange
- Policy 5 – what are "interior spaces?" – rooms, gardens?

Table #2 Meeting Summary Notes

The discussion was facilitated by Karla Kolli from Dillon Consulting. There was one City of Toronto staff members at this table: Steven Dixon, Senior Planner, Strategic Initiatives, City of Toronto. He was available to answer and address the questions and comments that were raised during the facilitated discussion at this table.

Public Realm

- Public Realm policies should be prominent. They should not be “buried” within the built form or other policies.
- Open space is part of the viewscape. Connecting open spaces is important and helps to connect neighbourhoods. Need to link open spaces physically and visually.
- Open space and the connecting elements need to be safe.
- The centre of the city should be oriented to walkability. The current walkable parts of the city are not always attractive (e.g. no trees, small sidewalks). Policies result in places people want to walk.
- Public realm is about being in the open air. Cycling should be part of the public realm as it is in the open air (compared to cars). All modes of transportation and connection create a different layer that relates to the public realm and all should be addressed.
- 3.1.3e – ratepayers group is concerned about the removal of the word property. Potential impacts to private property is important.
- 3f) not clear that we have a strong identity = “contribute”
- 3I not clear; need to define resilience
- As more and more people live in condos, the public realm becomes more critical. Public realm helps reduce stress which should be considered an element of resilience.
- We need to think about how policies can help to animate the space (e.g. discovery walks). Animating the space should include the use of streets by shops and restaurants.
- Concern that it is cost prohibitive for vendors to get municipal licencing to allow them to operate in the on-street/sidewalk public realm. Kensington Market was noted as an example.
- Keep in mind that the public realm is often where the city puts snow in the winter.
- We should be aiming to make streets wider to accommodate more public realm.
- Do the policies address temporary situations (e.g. construction, temporary uses)?
- Policies should minimize situations of tunnel effects. Bayview and Sheppard was cited as an example.
- Getting enough dirt is important for the health of trees. The city needs to manage infrastructure maintenance so it does not negatively impact trees. Need to make the public

realm flexible enough to allow for utilities but not result in the need to dig up trees to maintain the utilities.

- Should consider that if underground parking garages go to the property line they will negatively affect the ability to plant trees.
- How does the city ensure the credibility of arborist reports?
- Can we consider laneways as POPs? This would allow us to make better use of them other than just for service.
- What is the policy role in creating new pedestrian walkways like laneways and midblock connections? These pedestrian spaces are needed to encourage walkability.

Built form

- City should consider including a goal or target for minimal number of hours of sunlight.
- Consider making the policies flexible enough to allow for arcades/awnings over public realm areas to protect from sun/rain. It was recognized that it would be important to have a wide enough sidewalk to accommodate an open air portion as well as an arcade.
- The extent of development does not seem balanced e.g. significant number of towers are being developed in North York where the subway is beyond capacity yet there is limited tower development along the Danforth.
- Policies are needed to ensure connection between buildings.
- Concern that the tall building set back requirements push the building towards the road which reduces the opportunity for public realm.
- It was noted that policies are needed to address design in single family home. Concern about the sameness of these homes was raised.
- How does the massing and setbacks proposed in the policies compare to other places in Europe or the US?
- Concern was raised that specific detail in policy will create sameness across the City and not allow local context to be considered.
- Clarity is needed on what happens to developments already “on the books” prior to this policy being approved.
- Concern was raised that the restriction on mid-rise might encourage more tall buildings to be created. Developers who want a moderate height may figure they might as well build a very tall building since they have to meet that policy anyway.
- City should consider whether there is a need to address the large variability with the “tall” building definition. One idea provided was to have an “as of right” building height and then allow additional height through negotiation.

- Concern was raised that the City is only looking 5 years ahead with these policies and should be looking further into the future. It was suggested that the policies should not be too restrictive; we don't want to be in a situation 20 years from now where we are tearing down the 12 story buildings to build large towers.
- In the past the difference between allowed heights and stories has been confusing and policies should provide clarity.
- Concern was raised about mundane architecture. It was suggested that this sameness could be reinforced by having consistent setbacks etc. There needs to be variety and creativity so the Beaches and North York don't end up looking the same. Policies should encourage good architecture. It was suggested that the way we integrate heritage can help to minimize the sameness.
- Consider having a very firm limit/requirement associated with how much public realm must be provided for certain heights.
- Why has the City changed from using "shall" to using "will" in the language of the Official Plan?
- The application process needs to be improved/faster.

**Stakeholder Meeting Summary:
Ontario Association of Landscape Architects
(OALA)**

Detailed Agenda and Summary for OALA Stakeholder Meeting

Time + Dates: Jan 29, 2019, 10 AM to 12 PM

Locations: Waterfront Toronto, 20 Bay Street, Suite 1300

Number of Attendees: 18

Purpose of Public Meeting:

The purpose of this public meeting is to consult with stakeholders from the Ontario Association of Landscape Architects (OALA) on the Draft OP Public Realm and Built Form policies. Attendees will learn about the process undertaken to date to draft the policies, how the policies fit with the broader goals of city building, what the policies include and address, and what the next steps are in the process of review and adoption. Attendees will have the opportunity to review the policies in detail, speak with project team members and provide their feedback. Attendees have been given the policies in advance.

Description of Overall Approach:

This stakeholder meeting was undertaken in a workshop style, with 3 break-out tables. A break in the presentation allowed time for feedback on each of the policy areas. Each table had a facilitator and a representative from the City project team on-hand to answer questions and address stakeholder comments. The discussions and stakeholder comments were recorded by the facilitator.

Agenda Items

	Time	Lead	Topic/Notes
1.	9:30 AM	Dillon	Project team arrives to confirm room setup
2.	10-10:10 (10 min)	Merrilees	Welcome <ul style="list-style-type: none"> - Opening welcome and thank you remarks - Introductions - Housekeeping matters - washrooms, cell ringer off - Facilitator role - Provide brief overview of the meeting

	Time	Lead	Topic/Notes
3.	10:10- 10:20 (10 min)	Steven	Introduction to Public Realm and Built Form <ul style="list-style-type: none"> - Touch on the importance of this project and the public's feedback - Tell the story of how we got here, context, process to date, the work the City has done to get to the updated policies
4.	10:20- 10:25 (5 min)	Steven	Presentation on Public Realm Policies <ul style="list-style-type: none"> - Describe the policies – identify what is new and/or changing and what remains the same (pull out the key policies) - Explain how the additions/changes are linked to achieving the objectives of growth plan and good city building (complete streets, quality of life, etc.).
5.	10:25 - 10:50 (30 min)	Merrilees	Public Realm Discussion <ul style="list-style-type: none"> - At table groups discuss the 4 public realm policy areas
6.	10:50- 10:55 (5 min)	Steven	Presentation on Block Context Plan
7.	10:55- 11:05 (10 min)	Merrilees	Block Context Plan Discussion <ul style="list-style-type: none"> - In plenary discuss the Block Context Plan
8.	11:05- 11:10 (5 min)	Steven	Presentation on Built Form – General Policies <ul style="list-style-type: none"> - Describe the policies – identify what is new and/or changing and what remains the same (pull out the key policies) - Explain how the additions/changes are linked to achieving the objectives of growth plan and good city building (complete streets, quality of life, etc.).
9.	11:10- 11:25 (15 min)	Merrilees	Built Form General Policies Discussion <ul style="list-style-type: none"> - In plenary discuss the General Policies
10.	11:25- 11:30 (5 min)	Steven	Presentation on Built Form – Building Typologies

	Time	Lead	Topic/Notes
11.	11:30- 11:55 (25 min)	Merrilees	Building Typology Policies Discussion <ul style="list-style-type: none">- At <u>table groups</u> discuss the policies for the 3 building types.
12.	12pm	Merrilees	<ul style="list-style-type: none">- Thank-you, invite those remaining to sign-up for future communications

Meeting Summary

The following is a summary of the comments received from the 3 different facilitated tables, organized under each of the policy themes. Each table had a representative from the City project team to answer questions and address comments raised during the table and plenary discussions.

Table #1 Facilitated Discussion Notes

General Comments

- Transportation requirements often contradict the requirements of other departments. The departments need to speak to each other
- How does this document get enforced?

Public Realm Policies

- How do you define the “character” when there is often one standard in landscape architecture – 2 greys and a charcoal grey are your options for paving. It is difficult to get anything approved that is permeable.
- The public realm changes are great, but there are always issues with implementation.
- Don’t see much language on accessibility, health and safety.
- “Skilled professionals” should be changed to “qualified” (someone who can stamp).
- Supportive of page 8 (POP spaces), however there is confusion about what constitutes a park or POP. POPS with playgrounds – where does the liability lie? The policies don’t cover the insurance side of things. How do we design to minimize these concerns?
- Heritage and culture is missing in the public realm section.
- References to green/low impact missing. What about ecology/biodiversity? Maybe this should be added to the list of aspirations at the beginning.
- Policies are written in reference to new developments and streets, but what about retrofits and existing streets? The policies should apply to all streets.
- Pedestrian scale lighting – not included in what Toronto Hydro maintains. Therefore, they have to be maintained through BIAs. Do we really want maintenance people to determine the design of the City?
- There is no mention of external utilities – these affect how our design aspirations are on the ground (they limit what we can and cannot do)
- Laneways – can a business rent part of it and turn it into a café? (European examples)
- Policy #7 – seems very focused on transportation/movement. Perhaps we need to think about it more broadly as places for public spaces, green streets, ecology, comfort, etc.

Block Context Plan

- What do you do in cases where there is more than one landowner? Is it first to the table who dictates?
- How do you define the boundaries?

- Is there a policy of uniformity (colours, etc.) when you look at different plans?
- Language about ownership agreements – you cannot force people to work together.
- Should there be a time limit on the BCP where it needs to be reviewed after a few years as needs change?
- It should be a requirement for all developments. Developers should always demonstrate that they fit within their wider context. It may not need to be in this form, but something simple to show that you are thinking about the relationship between the public realm.
- Page #2, bullet C – “in order to achieve complete street” – this is too restrictive. There may be instances where a complete street is not appropriate.
- It can be limiting because it does not show densities.

Built Form Policies

- How do you quantify how much sunlight?
- Reference to public art on page 6 (g) – “where the developer agrees” – why is this worded as such? Why does the developer have to agree, whereas the other policies are just a policy that doesn’t require their agreement.
- Perhaps there needs to be a policy that says you need a minimum amount of sidewalk for the public.
- Setbacks – what do you do in instances where the sidewalk is narrow?
- Base buildings and podiums – create lots of extra space used for Rexalls. Can we control how this space is used?
- How was the 25m setback determined?

Table #2 Facilitated Discussion Notes

Public Realm Policies

- Like that this is a priority and has been given additional focus
- More focused on people rather than streets for utility – potential to add utility corridor on trench
- POPS – private parking lots with roads – how can we do public roads and have underground parking?
- Ensure public street policies are clear – potential to add clarity on when there is an exemption to private built/public standards
- Could commercial development support POPS?
- What about parks on top of parking structures?
- Policy 9 – check to see if it would require an OPA to develop a private street – add that they will be designed in public.
- Perhaps summarize the policies as there are too many to remember. Maybe categorize them: Functional policies, Safety policies, comfort, integration, etc.
- Clarify the difference between framework and network
- Strengthen street trees

Built Form Policies

- 25m separation won’t work for commercial buildings – add clarity on commercial

- Is there consideration for shadows on existing buildings?
- Floorplate size can get too big on mid-rise – could there be guidelines for floor plate size?
- How could the built form reduce noise?
- Should the BF policies take into consideration view shed and view corridor?
- Keep in mind parking screening and CPTED
- Policy 9f – move tree planting to landscaping areas to d
- Policy 9a – curb ramps should be moved to a different section

Table #3 Facilitated Discussion Notes

General Comments

- Are the policies going to be implemented in the same way in the inner suburbs?

Public Realm Policies

- Public Streets – concern with how street standards do not allow for smaller streets. How do you allow narrower ROWs because that has been what the private streets achieve? If all streets are public then need standards that allow for narrow ROW options. This requires consultation with transportation services and public works to revisit the ROW standards.
- There needs to be better requirements for explaining to condo owners the services they get and the street ROW.
- New non-conforming streets that are/should be private – need to be able to demonstrate that the function is really as a private driveway. Cannot be as a function of a connecting street. Would need OPA – developer has to prove street needs to be private.
- POPS – seems to conflict with wanting all streets to be public. - POPS do not replace public parks
- Does developer get any credits for POPS? No.
- What standards are in place to create/ensure POPS occur? (they are not required, but we are getting them so we want to make sure they are done well)
- Suggest that guidelines should explain the intent of POPS and to allow for alternative designs for private ground level related spaces.
- Trees – policies need to support trees that survive and thrive. How do policies achieve this? – This is in Policy #16
- Tree policies all come back to street design. The ROW standards need to allow for the tree requirements. Integration with transportation engineering is needed to make sure ROW standards are supporting the public realm policies.
- What do you do when parking standards are in conflict with public realm needs? – The City is looking at relaxing parking standards in appropriate locations.
- Allow parking above ground that is appropriately designed.
- Where does “cycleability” fit?
- By-law enforcement needed.

Built Form Policies

- Is 25m separation required everywhere? (A: The City is revisiting where the nuances are and how residential, office, institutional and industrial may be different)
- Where does the 25m separation come from?
- “Comfortable” wind experience is a subjective word. Recommend revisiting this, as there is not an agreement on what is comfortable.
- Townhouses have issues with where waste bins go, are there policies around this?
- For mid-rise, what is the “street wall height”



Appendix F

Written Stakeholder Comments



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Steven Dixon, MES, MCIP, RPP
Senior Planner, Official Plan
Strategic Initiatives, Policy & Analysis
City Planning Division, City of Toronto
55 John Street, 22nd Floor,
Toronto, ON M5V 3C6

December 09, 2018

RE: Draft Built Form and Public Realm Policy Consultation

Dear Steven,

On behalf of the Toronto Society of Architects, we would like to thank you and the City of Toronto City Planning Division for the opportunity to comment on the draft Public Realm and Built Form Official Plan policies. As the guiding document for the City's development, this is a key opportunity to address some of Toronto's current and emerging issues as they relate to its built form.

Please find below our comments and recommendations for each of the draft sections provided.

Built Form

- The Official Plan should begin to encourage incremental intensification of Neighbourhoods, through redevelopment of single and semi-detached houses to townhouses and low-rise apartments. Too much focus on maintaining existing character (with character effectively defined as typology) means that these areas are not accepting their share of growth. Instead, policy should be developed to illustrate how these areas can be sensitively intensified with incremental redevelopment.
- The reiteration of the ROW width as the maximum height for mid-rise buildings sidesteps the issue of "tall mid-rise buildings" (mid-rise-form buildings that are taller than the ROW width). Many such buildings have already been approved, and they are entirely appropriate in certain circumstances (largely Downtown or in the other Centres). This typology should be acknowledged, and parameters should be laid out to explain where it is appropriate and how such buildings should be designed.
- Although the lower floors of tall buildings should be well designed, not all tall buildings need podiums. In very urban locations, tall buildings which come directly to the street can be successful. In other areas, tall



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buildings can be successful situated within landscape without podiums. Podiums should be encouraged as one tool to use in the right circumstance, but as a universal requirement.

The Public Realm

- With the approval of laneway housing, it is important to recognize laneways beyond their “important function as off-street access for vehicles and servicing” as described in the proposed policy item 10. It is imperative that the language used in the Official Plan supports the view of laneways as an important part of Toronto’s residential landscape and the primary street type for an emerging residential typology.

Block Context Plan

- One of the most common problems with block context plans is how to apportion density or other measures of intensity. The proponent, naturally, will act as if they get most of the development potential on the block. This isn’t necessarily a problem, but it should be accompanied by a fulsome explanation that meets a set of criteria. Unrealistic distributions of development in block plans may mean that the approval of the first proposal on the block will harm the other owners’ ability to develop. Or, it may mean that the block gets overdeveloped because the first proposal gets repeated by other owners and is unable to work at such a scale (a fact which was not revealed because the block plan of unrealistic).

We trust our feedback will be considered as the policies are finalized, and we make ourselves available to meet with you and your team to further elaborate on the issues raised in this letter or on any other matters as they relate to the built form of our city.

Yours sincerely,

Maria Denegri
Chair

Megan Torza
Vice Chair



Acronym
Urban Design & Planning

Date: 11 December 2018

Sent via email (Steven.Dixon@toronto.ca)

Strategic Initiatives, Policy & Analysis
City Planning Division
City of Toronto
Metro Hall
55 John Street, 22nd Floor
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M5V 3C6

**Re: Draft Public Realm and Built Form Official Plan (OP) Policies:
Stakeholder Discussions**

Attn: Mr. Steven Dixon

Dear Steven,

Thank you for your invitation to participate in key stakeholder discussions regarding the Draft Public Realm and Built Form Official Plan (OP) Policies. I am happy to participate in this important process.

I have reviewed the text in the three documents on the draft changes to the Public Realm and Built Form policies, and the draft terms of reference for the Block Context Plan, that you provided in your invitation.

My comments are offered on the basis of day to day experience with the implementation of OP Built Form policies and the use of Block Plans in recent rezoning and Official Plan amendment applications and related appeals through the OMB/LPAT.

Some of my comments reflect long standing issues that I have as an architect, planner and urban designer with the terminology used in the Plan (the vague concept of “skyview” as an example). Others arise from the introduction of specific metrics in the Plan, which in my opinion are more appropriately contained in zoning regulations. My concern with the latter is that with more metrics in the Plan, more and more proposals will require Official Plan Amendments – effectively placing a two year moratorium on development applications in *Downtown* and other intensification areas.

Please find my detailed comments below. (My comments are in **bold**):

TO Core Built Form Policy Review – MS Comments

My general concern is that we are putting standards in the OP which are more appropriate in a zoning by-law or guideline. Are we doing so because it has proven to be too difficult to carry out background research studies or craft new zoning by-laws? The result of loading up the OP with new metrics will likely be that many new developments will require Official Plan amendments on a regular basis – after a two year

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moratorium on such amendments. In my opinion, putting policies in place that will require amendments on an increased basis is an indication of flawed or unrealistic policy making.

Specific Comments

3.1.2 (Second Paragraph)

“Individual buildings that are visible from, and that form the edge of, a street or a park are read together as a common wall that defines the public realm and are part of the physical expression of Toronto’s collective vision, identity and history.”

The Plan should indicate that this “common wall” is not now, nor need it ever be, designed to be a singular or consistent design or height. Toronto’s “collective vision and identity” is, in my opinion, not a decorous composed stage set. Toronto is, as others have observed, more of a “mongrel” city with strong contrasts between districts and individual buildings of different eras and scales.

3.1.2 (Fifth Paragraph)

“Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its interface with the public realm fit within the existing and/or planned context of the neighbourhood and the City.”

The “existing and/or planned context” language has been a part of the Plan for a number of years. I have always found this formulation to be rather unhelpful in thinking about the relationships between a proposal and its various contexts. This is because no-where in the intensification areas do we have an explicit understanding of the planned context. This is particularly so in the *Downtown* where very little of what we have built in the last two decades bears any resemblance to the in-force zoning or operating Secondary Plans.

Sidebar (Second Paragraph)

“Good street proportion is subject to study on a district and street basis, and will be determined by studying the existing conditions, street and open space width, building heights, setbacks, step backs, angular planes, tower floor plates and placement, and the planned intensity of development and expectations for the character and quality of the streets and open spaces in the future.”

No criteria are set out for such area wide study. Who does it and when is it done? It sounds, as do other parts of the proposed OP changes as if it is to be part of what would be done under a Development Permit process – without actually creating a Plan and Development Permit By-law. (See comments on the Block Plan requirements)

Policies

3.1.2.1 “Development will be located and organized to fit with its existing and/or planned context”.

Where is the sidebar on “existing and planned context” that currently exists in the OP? There needs to be a better point of reference than existing and/or planned context given that very often the planned context is either unclear, out of date or irrelevant. (See Zoning By-law)

3.1.2.3 d) *“encouraging site and building design that promotes cross-ventilation along the street and adjacent open spaces.”*

What does this mean?

3.1.2.4 *“Transition in scale will be provided within the development site and measured from the property line(s) of lower scaled development through the application of one or more of the following, depending on context:*

- a) separation distances between buildings;*
- b) locating buildings within angular planes;*
- c) stepping down of building heights; and*
- d) location and orientation of buildings.”*

Nothing really new here. This should acknowledge the variety of existing situations which exist which may not permit the application of all of the measures outlined in the policy in their ideal form.

3.1.2.5. Development will limit overlook, provide access to natural light from interior spaces, and provide opportunities for landscaping through the application of one or more of the following, depending on context:

- a) rear and side yard setbacks from neighbouring properties; and
- b) separation between adjacent building walls that contain windows.

There are no standards for “overlook” and “access to natural light from interior spaces” While I agree that this is a laudable goal, without scientifically established standards for such a policy (which like other such standards should exist in a by-law not in an OP) we are setting up a future of debates over just what those standards are. We had such standards (in zoning) for Mixed Use buildings in the past. In my opinion, this requires a study with real terms of reference and a real methodology – like the work that was done on sunlight access in the public realm by Bosselman et al for CityPlan 91 in the former City of Toronto. As an aside, in my opinion Bosselman’s work needs to be revisited in light of the city that we have built since that study was completed almost three decades ago.

Draft Policy 6 seeks to establish greater built form cohesion throughout the City and create a sophisticated urban fabric by limiting the number of buildings that are designed with individual expression as a primary objective. The draft policy recognizes scale, proportion, materiality, rhythm and fit as elements that should be considered in the design of new buildings, such that each new building is designed primarily to contribute to the streetscape and broader public realm.

I don’t know what the phrase “greater built form cohesion throughout the City” means. I suspect that it means that somehow through the official planning process the City will be designed in a more controlled

way than we have ever experienced as a city. In my experience, attempts to do this can result in a “cookie cutter” approach to the potential built form of a district. I do believe, however, that we can and should adopt such an approach to the specific form, dimensions and qualities of the public realm of such districts and would support a more direct focus on cohesion of the public realm in this and other related policies.

3.1.2.6. The design of new buildings should consider and be informed by the existing or planned character and context, including the scale, proportion, materiality, rhythm and fit of adjacent buildings.

See comments above on existing and planned context. I am concerned about the insertion of the concept of “planned character” which exists nowhere else in this section.

3.1.2.7. Development will reinforce the scale, character, form and setting of heritage resources and heritage conservation districts by providing massing and placement of new buildings to lend prominence to heritage resources.

We have lots of existing heritage policies in the Plan and in other documents such as many HCD Plans (many of which are currently under appeal). In my opinion it is not necessary to double up on such policies within the built form policy section of the Plan.

3.1.2.8. The organization, massing and height of a building on one site will not be a precedent for development on an adjacent or nearby site.

While understanding the concern with regard to “precedent” in the legal sense of the word, this will be (and in practice often has been) applied in a way that directly contradicts the sections that refer to “existing and planned context”. It introduces the notion that only buildings which are officially preferred can be considered as part of the existing and/or planned context. Buildings which exist cannot be made “invisible” through policy.

3.1.3.4. Mid-rise buildings are buildings greater than four storeys in height, with a maximum height generally equivalent to the width of the right-of-way that they front onto. Maximum permitted heights will be determined based on the criteria established in Policy 5.

3.1.3.5. Mid-rise buildings will be designed to:

- a) provide a streetwall height consistent with the existing and/or planned context;
- b) maintain street proportion and access to skyview by stepping back building massing generally at 80% of the adjacent right-of-way width; and
- c) provide articulation and massing that breaks up long facades in a manner that respects and reinforces the surrounding built form context of existing buildings.

In my experience the term “consistent” in planning terms means “the same as”. This is not appropriate usage of the term in my opinion. I also have concerns with the use of the term “skyview”. No objective standards of this phenomenon exist.

3.1.3.6 Tall buildings are generally buildings greater in height than the width of the adjacent right-of-way. The maximum permitted heights of tall buildings will be determined based on the criteria established in Policy 8.

Draft Policy 7 provides design criteria to help determine whether or not a tall building is appropriate for a particular site, including criteria pertaining to maximum floorplate sizes, minimum tower separation distances and visual impacts of tower locations from the public realm and neighbouring properties.

3.1.3.7. Tall buildings will only be permitted on sites where the following can be achieved:

- a) a tower separation distance consistent with the existing or planned context and not less than 25 metres, measured from the exterior wall of the buildings excluding balconies; and
- b) a minimum 12.5 metre tower setback to a side or rear lot line.

“Consistent” in planning terms means “the same as”. This is not appropriate usage of the term in my opinion.

In my opinion it is inappropriate to put these metrics in the OP. They should be (and are) in the zoning by-law.

Draft Policy 8 expands on the in-force Policy 1 pertaining to the base, middle and top of tall buildings. The draft policy provides design criteria for each of the three tall building components that contribute to good street proportion, an enhanced public realm and a cohesive skyline.

3.1.3.8 Tall buildings should be designed to consist of three parts, carefully integrated into a single whole and designed to achieve the following objectives:

- b) Tower middles or shafts should be organized, located, shaped and articulated to:
 - i. have residential floor plates generally no larger than 750 square metres, excluding balconies;
 - ii. generally be aligned parallel to adjacent streets, parks and open spaces;
 - iii. minimize shadow impacts on the public realm and surrounding properties;
 - iv. reduce visual and physical impacts of the tower from the public realm and neighbouring properties;
 - v. mitigate pedestrian level wind impacts through step backs and articulation;
 - vi. maximize access to sunlight and sky view from the public realm;
 - vii. provide access to natural light from interior spaces;
 - viii. create architectural interest and visually diminish the overall scale of the building mass

I am not sure why a policy on towers being aligned parallel to adjacent streets, parks and open spaces needs to be in the OP.

I note that the term “minimize” is used with regard to shadow impacts on the public realm and surrounding properties. How will this be reconciled with other shadow policies in the OP which use the more practical term “adequately limit” as the policy objective in such cases?

I have concerns over the use of the term “maximize” regarding sunlight access as a complement to “minimize” with regard to shadow. No standards for either measure exist. They could be established through a review of Bosselman as I have suggested above.

Similarly, no objective standard for “skyview” exists. It is unclear from the policy (and from my own experience) how an unclear phenomenon can be maximized.

I have concerns with the direction to “visually diminish the overall scale of the building mass.” This indicates an official “distaste” or “embarrassment” with the scale of the City that we have already built. This is not an appropriate position to take in an OP.

9. Tower separation, setbacks and stepbacks will increase as tower height increases to achieve the daylight, skyview and privacy objectives of this Plan on all floors.

This sounds nice, but this should have some clear criteria and standards in a by-law or guideline. No one should have to seek an OP amendment over such a vaguely worded policy.

Block Plan Terms of Reference

With regard to the terms of Reference for a Block Plan I have the following comments:

I am generally supportive of the use of the Block Plan as a way of examining the fit of a proposed development within its surroundings and in relation to the existing and future context. It seems to me that such plans are of most use in two cases: when a proposed development occupies a large portion of an existing urban block; and when a proposed development is on a small property and therefore unable to accommodate the required or recommended setbacks and/or separation distances on the individual lot.

In the former, the use of the Block Plan is relatively straightforward under the Terms of Reference as proposed.

In the latter case, the actual construction of the Block Plan is more complex. In such cases the Block Plan may be of use in exploring the potential for development on the block to meet the required or recommended setbacks and/or separation distances at the scale of the block, essentially ignoring the property lines. Such an approach inherently anticipates cooperation and agreements between adjacent landowners.

Questions for the proposed terms of reference arise from this type of Block Plan with shared development potential at the scale of the block.

Can the terms of reference include this as a potential use for the Block Plan? If so, should there be some mention of this as a potential avenue of exploration of development potential – in the Official Plan itself?

If this sort of shared development potential is an anticipated use of a Block Plan there should be additional guidance on the assumptions that are made when carrying out tests of development potential on adjacent or nearby properties. This would be especially helpful in the relatively typical situation where a property owner proposes new development on a block where adjacent owners have no active development plans. Should similar forms of development be tested on adjacent properties – or should adjacent properties be tested on the assumption of existing as of right zoning permissions?

Is the necessity of creating limiting distance or density transfer agreements between adjacent or nearby owners as part of the use of a Block Plan be identified somewhere in the Terms of Reference – or in the Official Plan itself.

In my experience it is complex situations such as the latter case where Block Plans are currently being recommended by City Staff. In my opinion the proposed Terms of Reference should deal with this type of Block Plan explicitly.

I am happy to discuss any and all of these comments with you and other members of the City OP team.

Best Regards,

Acronym Urban Design and Planning
Mark Sterling Consulting Inc.

A handwritten signature in black ink that reads "Mark Sterling". The signature is written in a cursive, flowing style.

Mark Sterling BES, B.Arch, OAA, MCIP, RPP
Principal



BUILDING A GREATER GTA
Building Industry and Land
Development Association

January 5, 2019

Ms. Kerri Voumvakis
Director, Strategic Initiatives, Policy & Analysis
City of Toronto
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Ms. Voumvakis,

RE: City of Toronto's Official Plan Review – Draft Amendment for Built Form Policies

With more than 1,500 member-companies, BILD is the voice of the land development, home building and professional renovation industry in the Greater Toronto Area and Simcoe County. Our industry is essential to Toronto's long-term economic strength and prosperity. In 2017 alone, the residential construction industry in Toronto generated over 90,000 on-site and off-site jobs in new home building, renovation and repair – one of the City's largest employers. These jobs paid \$5.4 billion in wages and contributed \$10.8 billion in investment value to the local economy.

On behalf of our BILD Toronto Chapter members, we would like to thank City staff for attending our December 5, 2018 Chapter meeting to provide our industry with an overview of the draft Built Form policies. Following this meeting, we consolidated the feedback of our members and respectfully submit the following comments for your consideration.

In general, we acknowledge that the draft policies for Built Form are consistent with established best practices and concepts of good design and design guidelines. Our industry, your city building partners, believe that the ability to bring forward innovate, architectural excellence with new development projects is what has, and will continue to, contribute to the City of Toronto being recognized as a distinguishable world-class city. Therefore, it is important that the policy environment for new projects facilitate our members' creative ability to deliver such buildings and is not overly prescribed. We strongly recommend that the language of the proposed policies be flexible in this regard.

With respect to the changes under Section 3.1.3 Building Typologies, our members recognize that the proposed amendments address existing guideline documents which reference townhouse, low-rise, mid-rise and tall building typologies. BILD members have collectively raised the importance of promoting diversity in building types and the need to enable the delivery of flexible low and mid-rise built form. This will enable us to develop the "missing middle" type product and addresses the much needed housing choice and supply within the City of Toronto. Our members are concerned that the reliance on the guideline documents will inhibit this needed type of development.

Each development application brings with it unique characteristics and locational attributes that may not allow it fit neatly within one of the four identified building typologies. As such, it may not be possible to apply or achieve the specific, separate set of built form policy requirements that each typology comes with. Under these circumstances, a certain level of flexibility between the different classifications and its respective guiding documents is needed so creative solutions can be achieved.

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North York, ON M3B 2V9

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www.gthba.ca

Attached as Appendix A are policy-specific comments which supplement our general comments above.

Thank you again for the opportunity to submit this feedback. BILD Toronto Chapter members look forward to hearing your response and welcome additional opportunities to engage in meaningful dialogue on the proposed policy changes and their potential impacts. If you have any questions or require more information, please contact the undersigned at ctupe@bildgta.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carmina Tupe', with a stylized, cursive script.

Carmina Tupe, MCIP RPP
Planner, Policy and Government Relations BILD

*Cc: Steven Dixon, City of Toronto
Gary Switzer, BILD Toronto Chapter Chair
Danielle Chin, Director Policy and Government Relations BILD
BILD Toronto Chapter Members*

Appendix A: BILD Toronto Chapter Policy Specific Comments on the Draft Proposed Built Form and Public Realm Official Plan

Section 3.1.2 Built Form

Reference	Policy Proposal	BILD Toronto Chapter Response
Section 1. b) *new*	<ul style="list-style-type: none"> providing additional setbacks or open spaces at street intersections or when adjacent to public buildings, parks, or transit to support building articulation and create a variety of spatial experiences and space for pedestrians and landscaping. 	<p>This policy does not necessarily facilitate good built form and is too restrictive as well as unfeasible, especially for smaller/irregular shaped corner sites. There are many examples of projects that do not include setback, but still frame the intersection by providing 'gateways.'</p> <p>We suggest the language of this policy be revised to include 'where appropriate.' Doing so would acknowledge that providing additional setback, where there may already be large setback requirements, or open spaces at the identified locations may not always be appropriate.</p>
Section 2. c) *revised*	<ul style="list-style-type: none"> removal of the 'where possible' for the integration of services and utility functions within development. 	<p>Members are concerned with the removal of 'where possible' as it limits flexibility and suggests a blanket requirement that may not be appropriate everywhere (i.e. intensively developed parts of downtown locations vs. North York).</p> <p>Also, additional clarity is required on what this would entail. For example, if this means servicing and loading, there would be extra costs associated with the additional excavation, shoring and constructing a structurally more complex underground garage to accommodate high clearances, heavier loads and larger turning radii for trucks. Loading is particularly difficult to integrate within buildings given a type G loading space requires a 6.1 metre height clearance, which is difficult to achieve structurally and compromises building efficiency.</p> <p>We believe staff should keep the original language of this policy given the complications that may come forward.</p>
Section 2. f) *revised	<ul style="list-style-type: none"> limiting above-ground parking structures, integrating them within buildings, and providing active uses and attractive building elevations along adjacent streets, parks and open spaces. 	<p>These policies would restrict above grade parking as being a solution to address site specific conditions i.e. poor geotechnical/hydrogeological conditions. If screened properly an above grade parking structure can be a feasible solution.</p> <p>We strongly recommend that above grade parking structure should be supported through these revised policies, as they promote a more affordable housing type, a faster construction timeframe, reduced disturbance to the neighborhood and limit groundwater discharge to the existing City infrastructure.</p>
Section 3. b) *new*	<ul style="list-style-type: none"> stepping back building mass and/or limiting building footprints above the streetwall height to allow daylight and sunlight to penetrate to the street and lower building levels 	<p>We believe this change is too prescriptive and limits the ability to provide architectural innovation and excellence. Clarification is needed on if the inclusion of 'and/or limiting building footprints' would allow some of the building to be step-back above the streetwall height. For example, an architectural gesture/terminus feature at one end of a mid-rise building could have a taller streetwall height than the remaining portion of the building alone a more prominent street to better promote architectural excellence.</p>

These policies would restrict above grade parking as a solution to address site specific conditions i.e. poor geotechnical/hydrogeological conditions. If screened properly and above grade

Section 4 *new*	<ul style="list-style-type: none"> ▪ <i>provide built form transition in scale between areas of different heights and/or intensity of use, including adjacent low-rise Neighbourhoods, heritage properties heritage conservation districts, cultural landscapes and parks and open spaces.</i> ▪ <i>Transition in scale will be provided within the development site and measured from the property line(s) of lowered scaled development through the application of a) separation distances between buildings, b) locating buildings within angular planes, c) stepping down of building heights, and d) location of orientation of buildings.</i> 	<p>Many areas for intensification are adjacent to <i>Neighbourhoods</i> and while our members believe negative impacts should be minimized, it is unclear what staff mean by ‘transition in scale.’ ‘<i>Architectural transition</i>’ has been used in many successful ways throughout the city. This application should be maintained as an option.</p> <p>Further, adjacent heritage buildings can be respected through other means that those listed and adjacent heritage conservation districts should be taken in context. If a development is proposed on the edge of a heritage conservation district, it should be evaluated on a site-specific basis and not solely on the City’s list of tests under this proposed policy.</p>
Section 6 *new*	<ul style="list-style-type: none"> ▪ <i>The design of new buildings should consider and be informed by the existing or planned character and context, including the scale, proportion, materiality, rhythm, and fit of adjacent buildings.</i> 	<p>While members do not take issue with the language of this policy, we note that in City staff’s May 15, 2018 report to the Planning and Growth Management Committee, staff indicate that the primary objective of this policy is to “[limit] the number of buildings that are designed with individual expression.” Although we agree that new buildings should be informed by the existing context, the potential for new, inspired architecture that can contribute to the City and its skyline to form new landmarks should not be limited.</p>
Section 8 *new*	<ul style="list-style-type: none"> ▪ <i>The organization, massing and height of a building on one site will not be a precedent for development on an adjacent or nearby site.</i> 	<p>This policy has a conflicting direction with the Section 6 draft policy.</p> <p>Toronto Chapter members believe that the organization, massing, and height of a building are a part of the scale, proportion and fit and are therefore a factor of the existing and planned context as noted under Section 6. The planned context should be included in the evaluations of new sites. As such, we request that the Section 8 draft policy be removed due to its conflict with the Section 6 draft policy.</p>
Section 10 *new*	<ul style="list-style-type: none"> ▪ <i>New multi-unit residential developments will provide high quality, well designed</i> 	<p>We believe this requirement is too prescriptive as it does not take into account the site-specific context of each project, given that they may cater to different audiences. BILD requests that the</p>

indoor and outdoor shared amenity space that provides programming for residents of all ages and abilities over time and throughout the year.

language be revised to incorporate more flexibility for high-quality shared amenity spaces that are designed towards target markets and to include passive, non-programmed spaces.

Section 11
new

- *Outdoor amenity space will:*
 - a) have direct access to sunlight,*
 - b) be located at grade where possible to promote mature tree growth,*
 - c) mitigate impacts to the public realm and neighbours,*
 - d) be physically separated and located away from loading and servicing areas,*
 - e) have generous and well-designed landscaped areas for privacy and an attractive interface with the public realm, f) provide comfortable wind, shadow and noise conditions, and*
 - g) promote use in all seasons.*

BILD members believe that outdoor amenity space should be located wherever it functionally makes the most sense. Although it may be possible for a development to accommodate an outdoor amenity at-grade, it does not necessarily mean it is the *best or most suitable* location for this space. For example, in the downtown core along transit corridors, outdoor space is generally more appropriate on the rooftop or rooftop podium.

While we understand staff want to promote mature tree growth, the draft policy proposal promotes a more suburban style of development. It is possible to provide sufficient soil depths not at grade to encourage mature tree growth. High quality outdoor amenity space can be designed and accommodated above grade, and there are many examples of this being built by Toronto Chapter members.

In addition, location outdoor amenity at-grade would be at odds with draft Section 11. c) which seeks to mitigate the impact of these spaces on the public realm and neighbours. Impacts are limited if outdoor amenity spaces are located on rooftops as opposed to if it were located at-grade.

11. d) may also be difficult to locate away from loading and servicing in addition to physically separating. Site specific considerations need to be considered as it is possible to design a space to address the proximity of loading and servicing areas.

We ask that Section 10 and 11 draft policies be revised to allow more flexibility in the location, design and programming of outdoor amenity spaces.

Section 3.1.3 Building Typologies

Section 3. b)
new

- *Townhouse and low-rise apartment buildings will be designed to...integrate with and maintain existing grades on site and at the property line...*

BILD Toronto Chapter members believe the language of this policy should be softened. Maintaining existing grades at the property line is fair, however, maintaining existing grades on a site is found to be very difficult. Coupled with the Townhouse and Low-Rise Apartment Guidelines which requires a maximum number of stairs, the way to achieve this is often through re-grading. In addition, many low-rise apartment buildings or stacked townhouse projects are built on a shared parking garage, so maintaining existing grades on site would be overly onerous and unnecessary as long as grades are being met along the property lines.

Section 7
new

- *Tall buildings will only be permitted on sites where the following can be achieved:*
 - a) a tower separation*

Members believe these requirements are more applicable and relevant to residential buildings as opposed to non-residential projects. We believe that Office uses should not be subject to the 25 metre setback.

distance consistent with the existing or planned context and not less than 25 metres, measured from the exterior wall of the buildings excluding balconies.

b) *A minimum of 12.5 metre tower setback to a side or rear lot line.*

Further, Section 7. b) is too restrictive and should be softened by encouraging a 12.5 metre setback to a rear or side lot line where adjacent to another tower site or where appropriate.

Site-by-site evaluations should be made, especially in instances where a tower is not adjacent to another tower site and a more appropriate setback can be accommodated. The language of this draft policy, as proposed, has the potential to trigger more Official Plan Amendments should our members nominally deviate from the 12.5 metre threshold. This would be unnecessary additional process to the system.

Reflecting the interests of the Swansea Community



Mailing Address: Swansea Area Ratepayer's Association
c/o Swansea Town Hall, Box 103, 95 Lavinia Avenue, Toronto ON M6S 3H9
Website: www.swansearatepayers.ca

Swansea Area Ratepayers' Group

7 January, 2019

City of Toronto Planning

To: Kerri Voumvakis, Director, Strategic Initiatives kerri.voumvakis@toronto.ca

And To: Lorna Day, Director Urban Design lorna.day@toronto.ca

And To: Steven Dixon, Senior Planner, Strategic Initiatives steven.dixon@toronto.ca

Direct contact: 416-769-3162 or willadvocate@aol.com

Re: Official Plan Review – Draft Built Form Policies and Draft Public Realm Policies

General Comments Re Proposed Official Plan Amendments: Public Realm and Built Form

On behalf of the Swansea Area Ratepayers Group (SARG) and the Swansea Area Ratepayers Association (SARA) please find their comments with regard to both sets of amendments. As an over view they are concerned that certain key elements have been dropped from the 2002 Official Plan as amended by the then OMB in 2006. SARG/SARA was involved with other groups in the settlement discussions with the City which resulted in the 2006 wording.

They are concerned that while the Public Realm policies represent an improvement, the Built Form policies have dropped the reference to “properties” which was found in the existing 3.1.3 e). Properties in this context is broader than the public realm. The term “properties” includes front lawns, backyards, courtyards to which the public do not have general access but which form part of the character of the area. This has been an important policy before the TLAB and previously the OMB (now LPAT) and its loss will weaken the existing protection set out in the present wording. When you get to the Built Form policies, the concerns will be dealt with in greater detail.

What also is dropped is the protection of parks and adjacent properties set out in the existing wording of 3.1.3 e) and f).

Public Realm Policies

They are supportive of the more robust policies protecting the public realm.

They are proposing an amendment to 3.1.1. 27 as follows:

Add to the end of the policy, a new d) to read as follows:

“d) where appropriate securing public easements over open spaces, pedestrian connections, laneways and POPS to ensure public access to these spaces.”

IN ADDITION NOTE that By-law 569-2013 does not use the term laneways but lanes and does not distinguish between private and public lanes. In fact the term “lane” is used for the term “aisle” when it comes to driveways into parking lots. Thus the introduction of this term in the Official Plan is creating a disconnect where the Official Plan refers to something not found in the Zoning By-law. It also has implications in regard to Mixed Use Areas and Midrise Guidelines and the CR zone. You should ensure consistency between the two documents and seek to clarify if laneway is limited to public lanes.

Draft Built Form Policies

In principle they support the clarification of the various typologies of buildings set out in the new version; however, they have specific concerns.

Comments re: 3.1.2.2

3.1.2.2a) replacing “lanes” with “laneways” is a disconnect between the wording in 569-2013 which creates a disconnect. If you use laneways in the Official Plan you should review your other policies to ensure consistency in the Official Plan and the Zoning By-law 569-2013 and consider whether you want to replace “lanes” with “laneways” and whether provisions in 569-2013 should be limited to public lanes.

Retain part of the wording of the Existing 3.1.2.3 as follows in a renumbered policy as follows:

Development will limit its impact on the neighbouring streets, parks, open spaces and properties by:

- a) adequately limiting the resulting shadowing of and uncomfortable wind conditions on neighbouring streets, properties and open spaces having regard to the varied nature of such areas: and
- b) minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

While aspects of this are found in the redrafted policies they do not extend them to properties which are not in the public realm and does not provide the same level of protection to parks as is presently found. These concepts need to be expanded as indicated above.

Note: The wording of the new version of 3.1.2.3 limits these protections to the street proportion and by referencing streets and adjacent right of way width. A further note 3.1.3.3 c) is limited to public realm and not properties thus limiting the opening wording which includes properties.

Comments re: 3.1.2.5 and 3.1.3.3

Amend the policies by deleting “from” and replacing with “to” or “unto” as applicable in both policies.

Explanation:

The present wording of 3.1.2.5 is:

“Development will limit overlook, provide access to natural light from interior spaces...”

Suggested Change:

“Development will limit overlook **onto** and provide access **to** natural light to interior spaces...”

Reason:

You protect one thing from another thing. The present wording implies development must be protected from overlook and interior spaces rather than the other way round.

Explanation:

The present wording of 3.1.3.3 [Midrise Buildings] is:

“while maintaining an open view to the sky and good access to sunlight from the public realm ...”

Suggested Change:

“while maintaining an open view to the sky **from** and good access to sunlight **onto** the public realm ...”

Reason:

As with the commentary on 3.1.2.5, you protect one thing from another thing. The present wording implies development must be protected from the public realm. This may have been caused by including two aspects, one where “from” is appropriate and the other where it is not.

Comments re: 3.1.3

The previous wording of 3.1.3 indicated the policies found in 3.1.2 were also applicable to 3.1.3. SARG and SARA therefor suggest the following amendment to proposed 3.1.3:

Add the following words “in addition to the other built form and public realm protections” to the first paragraph in 3.1.3 to the 4th line:

“ The following policies are intended to provide, **in addition to the other built form and public realm protections**, direction around building types...”

Comments re: 3.1.3.5

As set out in the mid-rise guidelines, depending on the length of the right of way width, mid-rise buildings can be up to 11 stories in height. There is reference to the protection of the streetscape but not properties to the rear, and in particular Neighbourhoods that may be adjacent to the proposed mid-rise building. Thus there should be a reference to angular planes and setbacks to adjacent *Neighbourhood* properties.

If you have questions kindly contact the direct contact is William H. Roberts, Director at 416-769-3162 or willadvocate@aol.com.

Yours truly,

William H. Roberts

William H, Roberts, B.A., LL.B.
Director

Reflecting the interests of the Swansea Community



Mailing Address: Swansea Area Ratepayer's Association
c/o Swansea Town Hall, Box 103, 95 Lavinia Avenue, Toronto ON M6S 3H9
Website: www.swansearatepayers.ca

Swansea Area Ratepayers' Group

7 January, 2019

Attn:

Kerri Voumvakis, Director, Strategic Initiatives

kerri.voumvakis@toronto.ca

Lorna Day, Director Urban Design

lorna.day@toronto.ca

Steven Dixon, Senior Planner, Strategic Initiatives

steven.dixon@toronto.ca

**Re: Official Plan Review – Draft Built Form Policies and Draft Public Realm Policies
Comments Re Proposed Official Plan Amendments: Public Realm and Built Form**

Further to the communication from Mr. William Roberts (attached) on behalf of the Swansea Area Ratepayers Group (SARG) and the Swansea Area Ratepayers Association (SARA), I would also like to elaborate further on his comments re: 3.1.3.5 and the inclusion of the Mid-Rise Guidelines details in the Official Plan.

In the attached Staff Action Report and Motions from the Planning and Growth Committee April 20, 2016 PG12.7, it is part of the action and recommendations that:

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

- 1. City Council approve the revised Mid-Rise Building Performance Standards Addendum (April 20, 2016), 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. ‘**

Both Mr. Williams and I worked collaboratively with Ms. Allison Reid of Urban Design to ensure that these Mid-Rise Guidelines were supportive and protective of the adjacent neighbourhoods and in particular the Swansea Secondary Plan. As an outcome of these recommendations described above, it is our expectation that there

would be policies included in the Official Plan Review supporting the Amended Mid-Rise Guidelines (attached), in particular any Built Form or Public Realm aspects that impact the adjacent **Neighbourhood properties** as well as the **Streetscape**. This would include the 45 ° Angular Plane, Step Backs and respect for existing site zoning such as a Secondary Plan.

During the review of the Mid-Rise Guidelines, SARG was recognized for its help and support in this review. We offer the same help and support for the development of appropriate policies to be included in the review of the Official Plan adding the aspects of the Mid-Rise Guidelines which are currently missing.

Many thanks for your anticipated attention to our concerns. If you have any questions re the content of this communication, please do not hesitate to contact me for clarification at **416-762-3773** or swansearatepayers@bell.net

Yours sincerely,

A handwritten signature in black ink, appearing to read 'V. Wynne', with a long horizontal flourish extending to the right.

Veronica Wynne,
SARA/SARG V-P
swansearatepayers@bell.net
416-762-3773

11 January 2019

Sent via E-mail (Steven.Dixon@toronto.ca)

Steven Dixon, Senior Planner, Official Plan, SIPA
Metro Hall, 22nd Floor
55 John Street
Toronto, ON M5V 3C6

Dear Mr. Dixon:

**Re: Toronto Official Plan Review: Built Form Policies
Submissions by CAPREIT Limited Partnership**

We represent CAPREIT Limited Partnership (“CAPREIT”), one of Canada’s largest residential landlords. CAPREIT owns and/or operates of a number of multi-unit residential properties within the City of Toronto.

In recent years, CAPREIT commenced a development program to increase its ability to provide high quality purpose-built rental housing in Canada and to facilitate the amelioration of its properties for the benefit of existing residents. This development program includes the regular review of its assets to determine how existing site conditions can be ameliorated for its current residents, and identification of sites that have been underutilized and therefore warrant an infill development program.

CAPREIT has reviewed the City’s proposed new built form policies and offers the comments outlined below for your consideration. CAPREIT may provide further comments on these policies once their consultant team has had further opportunity to review the policies in detail.

Comments

CAPREIT is generally concerned that, as currently drafted, the built form policies will unduly constrain the ability to achieve appropriate infill development in the City. As drafted, the proposed built form policies do not provide sufficient flexibility to take into account existing site specific circumstances, where development may be constrained. This is particularly the case with infill sites. As such, many of the policies are more appropriate to be applied as guidelines, as they currently are, rather than prescriptive policies.

1. CAPREIT also offers the following policy-specific comments for your consideration: Policy 3.1.2.8 provides that, “*the organization, massing and height of a building on one site will not be a precedent for development on an adjacent or nearby site.*”

11 January 2019

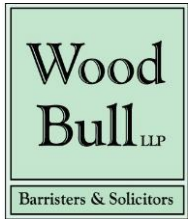
Removing the existing context as a matter to be considered in good planning creates a “policy-only” system which ignores the important existing fabric and context in which a site is developed. This “policy-only” approach is inconsistent with existing Official Plan policies, including but not limited to Policy 3.1.2.6, which require that new buildings consider and be informed by the existing and planned character and context. CAPREIT proposes that Policy 3.1.2.8 be deleted.

2. Policy 3.1.2.10 requires “*high quality, well designed indoor and outdoor shared amenity space that provides programming for residents of all ages and abilities over time and throughout the year*”.

CAPREIT supports the objective of providing good quality programming in all developments where possible, however, as drafted this policy is too prescriptive and limits the ability to design indoor/outdoor amenity spaces for target markets, where a specific type of programming may be more appropriate. The policy should be revised to provide more flexibility for various types of amenity spaces where appropriate, including passive / non-programmed spaces.

3. The criteria for outdoor amenity spaces in Policy 3.1.2.11 are overly prescriptive and may not create the intended outcomes. In particular, the requirement for outdoor amenity space to be located at grade, where possible, to accommodate mature tree growth (subsection (b)) may be inappropriate, especially read in conjunction with subsection (c) which requires the mitigation of impacts on the public realm and neighbours. The policy should be revised to encourage the location of outdoor amenity spaces where it makes the most functional sense.
4. Policy 3.1.3.7 states that tall buildings will only be permitted on sites where a tower separation distance “*consistent with the existing or planned context and not less than 25 metres*” and “*a minimum 12.5 metre tower setback to a side or rear lot line*” can be achieved.

There have been many cases of approved and constructed buildings in the City in which a lesser tower separation distance has been deemed to be acceptable, in the context of the development’s fit with the existing and planned surrounding; which is reflective of a context sensitive approach. Eliminating the ability for context specific consideration will unduly limit consideration for site specific circumstances, particularly with respect to infill development opportunities. Tower separation distances are better left in guideline documents, to allow for sufficient flexibility to develop appropriate infill development. Alternatively, the policy should be revised to add flexibility for site and area specific considerations.



11 January 2019

Request for Notice

On behalf of CAPREIT, we hereby request notice of any future public consultation meetings, Community Council, Committee, or Council meetings with respect to the Official Plan review of the built form policies. Notice should be sent to the undersigned and to:

Ernest Ng
Development Coordinator
CAPREIT
11 Church Street, Suite 401
Toronto, ON M5E 1W1
E.Ng@capreit.net

CAPREIT looks forward to reviewing further recommendations and/or refinements to the proposed policies and working with the City on creating a strong set of built form policies that encourage sensitive good quality infill development. Should you have any questions, please do not hesitate to contact us.

Yours very truly,

Wood Bull LLP

A handwritten signature in blue ink, appearing to read "Jshapira", is positioned below the firm name.

Johanna R. Shapira

JRS/af

c. Client



LAKESHORE PLANNING COUNCIL CORP.

www.lakeshoreplanningcouncil.com

Email: lpcc.lakeshoreplanningcouncil@gmail.com

January 14, 2019

BY EMAIL

Steven.dixon@toronto.ca
mwillemse@dillon.ca

TO:

Mr. Steven Dixon
Senior Planner
City of Toronto
Metro Hall, 22nd Floor
55 John Street, Toronto
ON M5V 3C6

AND

Ms. Merrilees Willemse
Public Consultation Coordinator
Dillon Consulting Limited
235 Yorkland Blvd.
Toronto
ON M2J 4Y8

Dear Mr. Dixon and Ms. Willemse:

Re: OPA – Public Realm and Built Form Policies

Please find attached our comments on the proposed Official Plan Review of the Public Realm and Built Form Policies.

We have been provided with comments sent to you in separate letters by William H. Roberts and Veronica Wynne (Swansea Area Ratepayers Group) on the OPA proposals. We fully concur with the requests for changes as expressed in these two letters.

We have provided our own comments (5 pages attached) on the following:

Section 3.1.2 – Built Form – Policy 4 and Policy 5 b)

Section 3.1.3 – Built Form Building Typologies

Townhouses and Low-Rise Apartment Buildings – Preamble

Mid-Rise Buildings – Policy 5

Tall Buildings – Preamble and Policy 7 a)

Also attached in support of our comments on Mid-Rise Buildings is a copy of a summary of the 36 Performance Standards and Performance Standard #1 from the Mid-Rise Buildings Study.

It is expected that once you have reviewed all the comments provided by members of the public, that revised OPA policies for the Public Realm and Built Form may become available for second review by the public.

Thank you in advance.

Sincerely,

P. Moulder

Peggy Moulder
Secretary
Lakeshore Planning Council Corp.

Encs.

COMMENTS ON PROPOSED OPA - 3.1.2 Built Form

Requested changes:

Insert the word “adjacent” in Policy 4 to ensure appropriate (adjacent) property line is selected.

4. Development will be required to provide built form transition in scale between areas of different heights and/or intensity of use, including adjacent low-rise *Neighbourhoods*, heritage properties, heritage conservation districts, cultural landscapes and parks and open spaces. Transition in scale will be provided within the development site and measured from the **adjacent** property line(s) of lower scaled development through the application of one or more of the following, depending on context:

- a) separation distances between buildings;
 - b) locating buildings within angular planes;
 - c) stepping down of building heights; and
 - d) location and orientation of buildings.
-

Re-word Policy 5 b)

Privacy:

Privacy objectives, particularly for residential units, are achieved when tower orientation, appropriate facing distances, and setbacks combine to mitigate overlook between the windows or balconies of one building and those of another.

*Note: This addresses U-shaped buildings, with facing windows.

5. Development will limit overlook, provide access to natural light from interior spaces, and provide opportunities for landscaping through the application of one or more of the following, depending on context:

- a) rear and side yard setbacks from neighbouring properties; and
 - b) **a minimum separation distance of 25 metres** between adjacent building walls that contain **facing** windows.
-

COMMENTS ON PROPOSED OPA - 3.1.3 Built Form – Building Typologies

Townhouses and Low-Rise Apartment Buildings

What is a townhouse?

If it is defined as a multi-storey house in a row of attached similar houses, then they either are not appropriate new structures for established Neighbourhoods, or are new structures that must comply with existing Zoning By-laws and Urban Design Guidelines, where these have been prepared, for the well-established, existing Neighbourhood.

Generally, these townhouses are constructed as, or within, a new subdivision, quite apart from existing Neighbourhoods.

Describing 4-storey townhouses as appropriate for “infill” will create even more problems for existing Neighbourhood residents who are opposing construction of these buildings in well-established Neighbourhoods at Committee of Adjustment, the OMB/LPAT, TLAB and now Divisional Court. These townhouses more often than not, do not “fit in” with the massing and “appearance” (urban design) of the long-established, existing Neighbourhood.

What is a “large site”? This is too vague and unacceptable wording for an Official Plan.

Low-rise Apartment Buildings already exist within established Neighbourhoods and new apartment buildings must comply with the existing Zoning by-laws.

Consequently, this proposed OPA should be eliminated or substantially re-worded for clarification. For example:

Townhouse and Low-Rise Apartment Buildings

Townhouse and low-rise apartment buildings provide grade-related housing in a form that is more intensive than single and semi-detached houses. Where appropriate, **such as in a new subdivision, or ~~and~~ where permitted by the existing Zoning By-laws**, these low-rise typologies ~~can~~ **may** be **built** ~~infill buildings on small sites or part of large sites to~~ increase the range of housing types, provided that the development can ensure compatibility with **respect to existing physical character, urban design** and transition to adjacent established residential **buildings**. ~~areas.~~

2. Townhouse and low-rise apartment buildings will be no taller than 4 storeys in height.

3. Townhouse and low-rise apartment buildings will be designed to:

- a) provide unit and building entrances that have direct access to and are visible from public streets, pedestrian mews and walkways;
- b) integrate with and maintain existing grades on site and at the property line; and
- c) ensure sunlight on ground floor units by providing appropriate facing distances, angular planes and step backs.

Mid-Rise Buildings

The Avenues and Mid-Rise Buildings Study, an award-winning Study, was completed in 2008 and adopted by City Council in 2010, with an addendum in June 2016.

City Council Decision

City Council on June 7, 8 and 9, 2016, adopted the following:

1. City Council approve the revised Mid-Rise Building Performance Standards Addendum, Attachment 1 to the report (April 20, 2016) from the Chief Planner and Executive Director, City Planning, 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.

The Growth Plan for the Greater Golden Horseshoe (2017) stipulates in Section 2.2.2, Policy 4 (below): f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

2.2.2 Delineated Built-up Areas

4. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will: f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The Mid-Rise Building Performance Standards document, as approved by City Council, constitutes such a supporting document, comparable to zoning by-laws. There are 36 Performance Standards along with considerable, detailed information and recommendations on how to apply the Standards for new Mid-Rise Buildings.

In light of the foregoing, the proposed OPA preamble and Policies for Mid-Rise Buildings are inadequate to a major extent. Attached are the 36 Performance Standards for your convenience.

Consequently, the following changes are requested to the proposed OPA section 3.1.3 Built Form – Building Topologies:

Re-write Policy 5

Mid-Rise Buildings

Mid-rise buildings are a form of development that provides transition and relationship to streets, parks and open spaces. Typically found along *Avenues* and *Major Streets* in *Mixed-Use Areas*, they help establish and reinforce an urban environment and support transit infrastructure while maintaining an open view to the sky and good access to sunlight from the public realm.

Mid-rise buildings may contain single uses such as offices or residential apartments, or a mix of uses such as retail, office, community service and residential in the same building. The proposed intensification in this Plan is primarily anticipated to be achieved with street-oriented, grade related mid-rise building types that define and support a sunny, comfortable public realm inclusive of streets that are lined with active uses.

4. Mid-rise buildings are buildings greater than four storeys in height, with a maximum height generally equivalent to the width of the right-of-way that they front onto. Maximum permitted heights will be determined based on the criteria established in Policy 5.

~~5. Mid-rise buildings will be designed to:~~

- ~~a) provide a streetwall height consistent with the existing and/or planned context;~~
- ~~b) maintain street proportion and access to skyview by stepping back building massing generally at 80% of the adjacent right-of-way width; and~~
- ~~c) provide articulation and massing that breaks up long facades in a manner that respects and reinforces the surrounding built form context of existing buildings.~~

5. Mid-rise buildings will be designed to comply with all the approved Mid-Rise Performance Standards, including:

- a) the maximum allowable height of mid-rise buildings on Major Streets will be no taller than the width of the right-of-way, as identified in Official Plan Map 3 - Right-of-Way Widths Associated with Existing Major Streets, with the exclusions noted in in the Performance Standards, including City initiated Avenue Study and Secondary Plan areas.**
- b) the maximum height may only be achieved if the built form demonstrates compliance with all applicable Performance Standards.**
- c) not all sites on the Avenues and Major Streets will be able to achieve the maximum height. The dimensions of the development lot – particularly lot depth – impact the ability of a given site to be built to its maximum height.**
- d) achieving the maximum building heights will be dictated by the required angular planes set out in the Performance Standards.**

[the City proposed policies can be added here as e) f) g)]

~~5. Mid-rise buildings will be designed to:~~

- ~~a~~ e) provide a streetwall height consistent with the existing and/or planned context;
- ~~b~~ f) maintain street proportion and access to skyview by stepping back building massing generally at 80% of the adjacent right-of-way width; and
- ~~e~~ g) provide articulation and massing that breaks up long facades in a manner that respects and reinforces the surrounding built form context of existing buildings.

Tall Buildings

Requested changes:

Re-write preamble and re-insert previous preamble paragraph to properly direct where tall buildings should be located

Tall buildings are only one form of intensification. However, not every site is appropriate for a tall building. Most of the proposed intensification in this Plan is anticipated to be achieved with street oriented, grade related or mid-rise building types that define and support sunny, comfortable and vital streets, parks and open spaces. Tall buildings, typically buildings whose height is greater than the width of the adjacent road allowance, are generally limited to parts of the Downtown, Centres, and other areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, site specific policies in effect as of the approval date of this Official Plan or site specific zoning that pre-dates approval of this Plan. Tall buildings will only be permitted in other areas on the basis of appropriate planning justification consistent with the policies of this Plan.

Tall buildings have larger civic responsibilities and obligations than other building types. They are an intensive form of development that come with both opportunities and challenges. When the quality of architecture and site design is emphasized, tall buildings can become important city landmarks, help to define the City's structure, and contribute to the skyline. ~~However, not every site is appropriate for a tall building. Tall buildings should only be considered where they can fit into the existing or planned context.~~

Re-word Policy 7:

Privacy:

Privacy objectives, particularly for residential units, are achieved when tower orientation, appropriate facing distances, and setbacks combine to mitigate overlook between the windows or balconies of one building and those of another.

7. Tall buildings will only be permitted on sites where the following can be achieved:
a) a tower separation distance consistent with the existing or planned context and not less than 25 metres, measured from the exterior wall of the buildings excluding balconies, **and a minimum separation distance of 25 metres between adjacent building walls that contain facing windows;** and

3.2

Performance Standards

1. Maximum Allowable Height

The maximum allowable height of buildings on the Avenues will be no taller than the width of the Avenue right-of-way, up to a maximum mid-rise height of 11 storeys (36 metres).

2. Minimum Building Height

All new buildings on the Avenues must achieve a minimum height of 10.5 metres (up to 3 storeys) at the street frontage.

3. Minimum Ground Floor Height

The minimum floor to floor height of the ground floor should be 4.5 metres to facilitate retail uses at grade.

4A. Front Façade: Angular Plane

The building envelope should allow for a minimum of 5-hours of sunlight onto the Avenue sidewalks from March 21st - September 21st.

4B. Front Façade: Pedestrian Perception Step-back

“Pedestrian Perception” step-backs may be required to mitigate the perception of height and create comfortable pedestrian conditions.

4C. Front Façade: Alignment

The front street wall of mid-rise buildings should be built to the front property lines or applicable setback lines.

5A. Rear Transition to Neighbourhoods: Deep

The transition between a deep Avenue property and areas designated Neighbourhoods, Parks and Open Space Areas, and Natural Areas to the rear should be created through setback and angular plane provisions.

5B. Rear Transition to Neighbourhoods: Shallow

The transition between a shallow Avenue property and areas designated Neighbourhoods, Parks and Open Space Areas, and Natural Areas to the rear should be created through alternative setback and angular plane provisions.

5C. Rear Transition to Employment Areas

The transition between an Avenue property and areas designated Employment Areas to the rear should be created through setback and step-back provisions.

5D. Rear Transition to Apartment Neighbourhoods

The transition between an Avenue property and areas designated Apartment Neighbourhoods to the rear should be created through setbacks and other provisions.

6. Corner Sites: Heights & Angular Planes

On corner sites, the front angular plane and heights that apply to the Avenue frontage will also apply to the secondary street frontage.

7A. Minimum Sidewalk Zones

Mid-rise buildings may be required to be set back at grade to provide a minimum sidewalk zone.

7B. Streetscapes

Avenue streetscapes should provide the highest level of urban design treatment to create beautiful pedestrian environments and great places to shop, work and live.

8A. Side Property Line: Continuous Street Walls

Mid-rise buildings should be built to the side property lines.

8B. Side Property Line: Limiting Blank Side Walls

Blank sidewalls should be designed as an architecturally finished surface and large expanses of blank sidewalls should be avoided.

8C. Side Property Line: Step-backs at Upper Storeys

There should be breaks at upper storeys between new and existing mid-rise buildings that provide sky-views and increased sunlight access to the sidewalk. This can be achieved through side step-backs at the upper storeys.

8D. Side Property Line: Existing Side Windows

Existing buildings with side wall windows should not be negatively impacted by new developments.

8E. Side Property Line: Side Street Setbacks

Buildings should be setback along the side streets to provide transition to adjacent residential properties with front yard setbacks.

9. Building Width: Maximum Width

Where mid-rise building frontages are more than 60 metres in width, building façades should be articulated or “broken up” to ensure that façades are not overly long.

10. At-Grade Uses: Residential

Where retail at grade is not required, and residential uses are permitted, the design of ground floors should provide adequate public/private transition, through setbacks and other methods, and allow for future conversion to retail uses.

11. Setbacks for Civic Spaces

In special circumstances where civic or public spaces are desired, additional setbacks may be encouraged.

12. Balconies & Projections

Balconies and other projecting building elements should not negatively impact the public realm or prevent adherence to other Performance Standards.

13. Roofs & Roofscapes

Mechanical penthouses may exceed the maximum height limit by up to 5 metres but may not penetrate any angular planes.

14. Exterior Building Materials

Buildings should utilize high-quality materials selected for their permanence, durability and energy efficiency.

15. Façade Design & Articulation

Mid-rise buildings will be designed to support the public and commercial function of the Avenue through well articulated and appropriately scaled façades.

16A. Vehicular Access

Whenever possible, vehicular access should be provided via local streets and rear lanes, not the Avenue.

16B. Mid-Block Vehicular Access

For mid-block sites without rear lane access, a front driveway may be permitted, provided established criteria are met.

17. Loading & Servicing

Loading, servicing, and other vehicular related functions should not detract from the use or attractiveness of the pedestrian realm.

18. Design Quality

Mid-rise buildings will reflect design excellence and green building innovation, utilizing high-quality materials that acknowledge the public role of the Avenues.

19A. Heritage & Character Areas

All mid-rise buildings on the Avenues should respect and be sensitively integrated with heritage buildings in the context of Heritage Conservation Districts.

19B. Development in a HCD

The character and values of HCDs must be respected to ensure that the district is not diminished by incremental or sweeping change.

19C. Development Adjacent to a Heritage Property

Development adjacent to heritage properties should be sensitive to, and not negatively impact, heritage properties.

19D. Character Area: Fine Grain Fabric

New mid-rise buildings in Character Areas that have a fine grain, main street fabric should be designed to reflect a similar rhythm of entrances and multiple retail units.

19E. Character Area: Consistent Cornice Line

Buildings in a Character Area should maintain a consistent cornice line for the first step-back by establishing a “datum line” or an average of the existing cornice line.

19F. Character Area: Vertical Additions

Additions to existing buildings is an alternative to redevelopment projects on the Avenues, and should be encouraged in areas with an existing urban fabric.

19G. Character Area: Other Considerations

Additional “context sensitive” design and massing guidelines should be considered for development in Character Areas.

Performance Standard #1: Maximum Allowable Height

The maximum allowable height of buildings on the Avenues will be no taller than the width of the Avenue right-of-way, up to a maximum mid-rise height of 11 storeys (36 metres).

- Using the four prevailing right-of-way widths: 20, 27, 30, & 36 metres.
- The maximum height may only be achieved if the built form demonstrates compliance with all applicable Performance Standards.
- Not all sites on the Avenues will be able to achieve the maximum height. The dimensions of the development lot – particularly lot depth – impact the ability of a given site to be built to its maximum height.

Achieving the maximum building heights will be dictated by the required angular planes set out in subsequent Performance Standards.

Rationale

The City has generally defined mid-rise buildings as being “taller than a typical house or townhouse but no taller than the width of the street’s public right-of-way”. For example, on a street with a 20 metre right-of-way, a mid-rise building consisting of commercial uses at grade and residential uses above, can be up to 20 metres in height, or 6 storeys.

Official Plan Map 3 - Right-of-Way Widths Associated with Existing Major Streets, identifies Avenues with seven different right-of-ways (R.O.W.) widths: 20, 23, 27, 30, 33, 36, and 45 metres. There are four widths - 20, 27, 30 and 36 metres that prevail. In instances where the right-of-way width is 23 and 33 metres, Performance Standards for mid-rise buildings will apply, permitting maximum building heights are the same as the R.O.W.

Eglinton Avenue West is the only Avenue that has a 45 metre wide R.O.W. As the maximum mid-rise height is defined as 11 storeys, or approximately, 36 metres, the City should undertake further study of this area to determine appropriate building heights.

The *Design Criteria for Review of Tall Building Proposals* defines tall buildings as those which are taller than the right-of-way they are located on. For the purposes of this study, it is assumed a mid-rise building is never taller than 11 storeys or 36 metres high (equal to the width of the widest prevailing right-of-way found on the Avenues).

Table 5

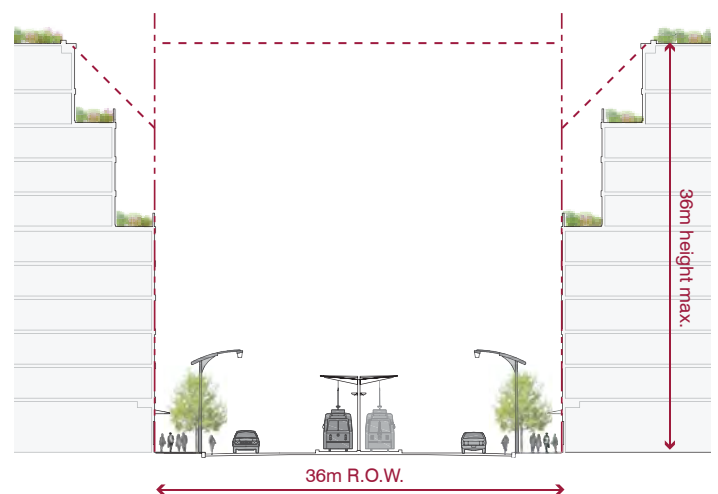
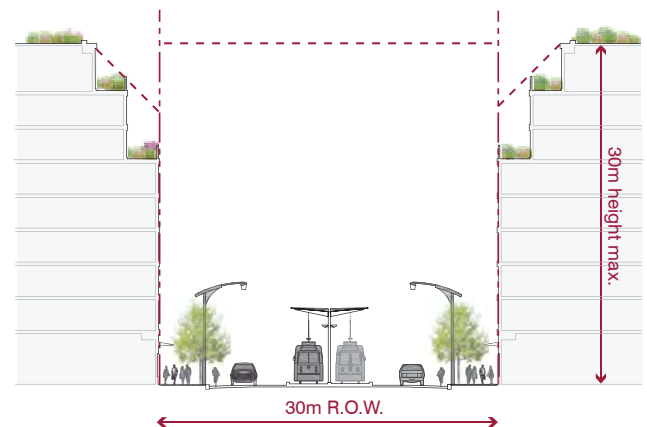
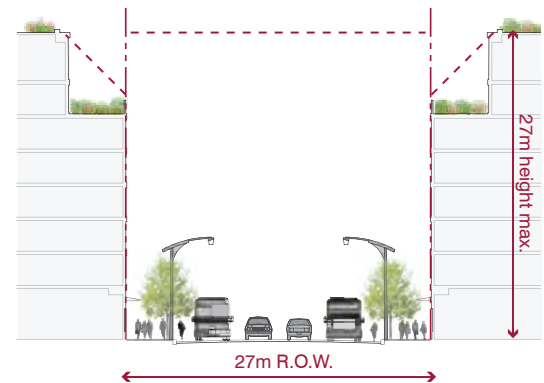
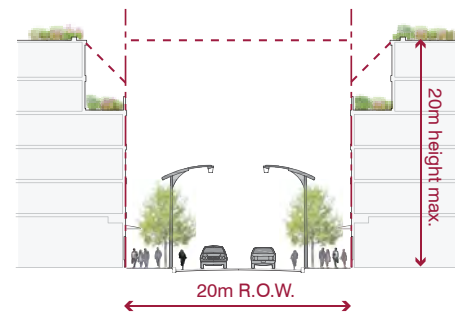
R.O.W. Width ¹	Mixed-Use		Commercial	
	storeys	height (m) ²	storeys	height (m) ³
20m	6	19.5	5	18.9
27m	8	25.5	7	26.1
30m	9	28.5	8	29.7
36m	11	34.5	9	33.3

Assumptions

1 - R.O.W. widths as identified in Official Plan Map 3

2 - Mixed Use heights assume 4.5m for ground floor and 3.0m for all floors above

3 - Commercial heights assume 4.5m for ground floor and 3.6m for all floors above



The former City of Toronto’s Main Streets By-law (By-law 1994-0178) was created after a study of existing context along Toronto’s main streets as well as extensive public consultation. The resulting By-law created a building envelope within the 4 to 6 storey range. However, the City has seen very little “uptake” based on this zoning and today there are still very few buildings in this height range along the former City’s main streets.

The creation of a context-appropriate height regime might encourage land owners to consider the mid-rise building as a feasible typology for development.

Sites that are constrained by size or context and cannot meet the Performance Standards for front, side and rear transitions (Performance Standards 4, 5, and the 7) **will generally not be permitted to develop at the maximum height.** The maximum allowable height defined in this Performance Standard is the determining factor for height maximums and supersedes other angular plane restrictions which could potentially be more permissive.

This study recognizes that building height is only one aspect of regulating building design. Imperative to the success of the Avenues is the ability of mid-rise buildings to fit into a variety of existing contexts and contribute positively to the overall character of the Avenues. Subsequent Performance Standards outline additional methods to shape and design mid-rise buildings.

Official Plan Reference

3.1.2 Built Form

Policies: 1, 3 a), and 4

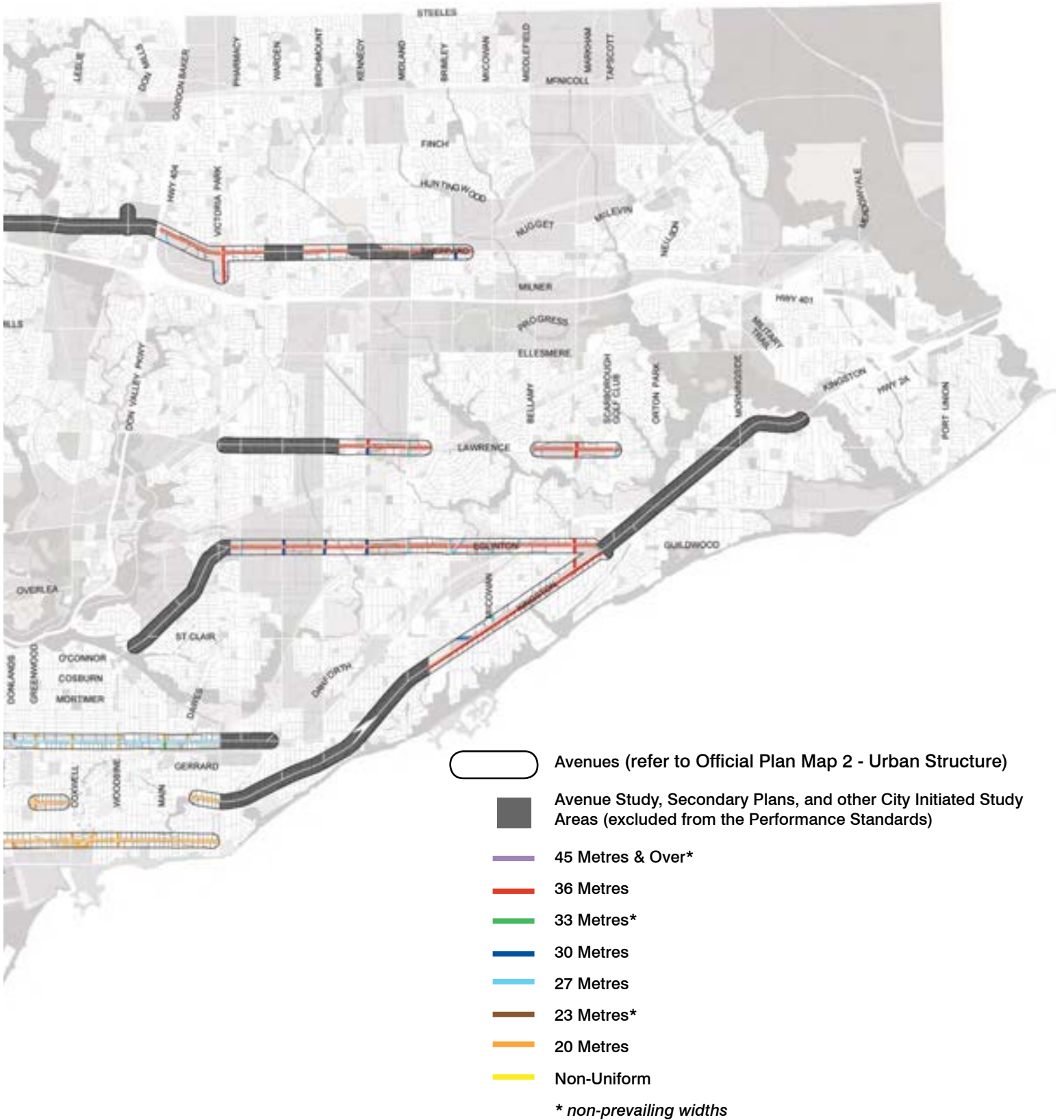
Maximum allowable height is determined by the width of the right-of-way (Note, in some cases, where sidewalk width is not sufficient, front setbacks from the property line will be necessary. This will not affect the overall height or angular plane provisions applied to the building).

Map 6: Avenues & R.O.W. Widths



Not to Scale

Map should be referred to in colour



According to Official Plan Map 3 - Right-of-Way Widths Associated with Existing Major Streets, the Avenue right-of-ways fall into one of seven widths: 20, 23, 27, 30, 33, 36, and 45 metres. There are four widths - 20, 27, 30 and 36 metres that prevail. In instances where the right-of-way width is 23 and 33 metres, maximum building heights should not exceed the R.O.W. width. The 45 metre wide R.O.W. along Eglinton Avenue West should be considered for area-specific study.

16 January, 2019



*Greater Beach Neighbourhood Association
Submission Re: Official Plan Review
Draft Built Form Policies and Draft Public Realm Policies*

To: City of Toronto Planning Department

Kerri Voumvakis, Director, Strategic Initiatives - kerri.voumvakis@toronto.ca

Lorna Day, Director Urban Design - lorna.day@toronto.ca

Steven Dixon, Senior Planner, Strategic Initiatives - steven.dixon@toronto.ca

Greater Beach Neighbourhood Association (GBNA) took part in the 14 January, 2019 Stakeholder Review of the city's draft Built Form Policies and draft Public Realm Policies.

GBNA hereby supplements its written input at the meeting by registering full support of all comments submitted by Mr. Bill Roberts on 7 January, 2019 on behalf of the Swansea Area Ratepayers Group and Swansea Area Ratepayers Association .

In particular, GBNA wishes to emphasize the comment re 3.1.3.5 (draft Built Form policies):

"As set out in the mid-rise guidelines, depending on the length of the right of way width, mid-rise buildings can be up to 11 stories in height. There is reference to the protection of the streetscape but not properties to the rear, and in particular Neighbourhoods that may be adjacent to the proposed mid-rise building. Thus there should be a reference to angular planes and step-backs to adjacent Neighbourhood properties."

Thank you

Neil Sinclair, GBNA chair

Jan Hykamp, GBNA director

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cc. GBNA board:

Uwe Sehmrau, Jeffrey Levitt, Hans Looije, Patrick Shipton, Adam Smith



January 20, 2019

Kerri Voumvakis,
Director, Strategic Initiatives
City Planning Division

RE: Official Plan Review: Draft Policies - 3.1.1 Public Realm, 3.1.2 Built Form

FoNTRA representatives appreciated the opportunity to meet with staff on January 14, 2019, and we offer the following general, and specific comments on the draft policies:

We consider the proposed revisions to be an overall improvement:

- The Public Realm policies are more robust;
- The Built Form policies have increased clarity and specificity for buildings of different typologies (e.g. minimum separation distances for tall buildings), and provides the essential Official Plan direction for approved guidelines;
- The Block Context Plan should be a helpful tool in ensuring consideration of a project within its context.

However, given the specificity of some of the proposed amendments, such as separation distances for towers, will an application require an official plan amendment if the policies are not complied with?

Comments on specific sections are as follows;

3.1.1. Public Realm Policies

Introduction –

Paragraph 1. An essential role of public realm is helping to provide for the health of existing and future citizens.

Add after “population growth” and before “liveability”, “*while ensuring the health,*”

Paragraph 2 – is this really needed?

Paragraph 3: Policies should include protection and enhancement of existing public realm, as well as addition of new public realm.

Add before “development” in the first line, “*enhancement of the existing public realm and*”

Policy 3.f) Needs to be expanded and clarified. It is not the only thing that defines identity and character and what these are vary across the City.

Replace with something like “Help define the identity and character of the various areas of the City.”

Policy 4.e) How does the City encourage the use of skilled professionals?

Why include this? The legal requirements for professionals are separate and not related to the Official Plan.

Simplify the policy by combining the proposed policies in b), c) and f) in one “*to encourage creativity and design excellence and promote public interest and support through such programs as Urban Design awards, design competitions and advisory design review panels*”.

Policy 5. Need to add a sub policy about the streets being well designed to ensure safety for all users, such as complete streets, separation and protection of bicycle routes, and pedestrian crossings, etc. Maybe expand c) to include these considerations.

Policy 6. This is hard to do with steep ravines? Should this be “where possible”?

Policy 7. Laneways is a new term – how does it legally relate to lanes in the zoning bylaw? Is there a problem here?

Policy 13. a) Sidewalks have to be wide enough for the location – this is a big issue in high volume pedestrian areas.

Add after “well designed”, “*and of sufficient width*”.

b) Agree and note the importance of this with recent above grade gas utilities that should be elsewhere than in the sidewalk.

Policy 20. Public access (as of right) to POPS must be assured but public access to designated POPS is sometimes prevented by private owners.

“*are invited to use*” is not strong enough.

Add to a) ensure public accessibility, “*including where appropriate, securing public easements over open spaces, pedestrian connections, laneways, and POPS to ensure public access to these spaces.*”

Policy 21. b) Public squares should not be so limited in form. The key objective should be to have direct pedestrian access.

Important Public Realm Issues to be considered.

Does the Policy deal effectively with:

1. the need to ensure consistency/conformity to a standards e.g. paving and landscaping? For example, the Green Corridor on the north side of Eglinton from Yonge to Mount Pleasant as proposed (and approved) in the Midtown In Focus Plan
2. the intent and direction (the “spirit”) of the Public Realm policy? (i.e. that public realm should be identified and maintained, not overridden at the convenience of the developer) ie
 - a. “temporary uses” of public realm as well as permanent land uses . For example development construction projects regularly take over sidewalks and bike lanes.
 - b. such operational matters as utility installations not being in a main sidewalk and located at the rear of the building etc., allocating patio space, minimum sidewalk clearways, road treatments for significant pedestrian crossings etc.

3.1.2 Built Form Policies

Introduction – This is very long, and a sidebar, and should be more focussed so people will read it. What are the really key points?

Policy 3 Need for clearer wording.

c) Why say “utility” here instead of “use”?

Policy 5 need to clarify what is “from interior spaces”

Policy 9a) Replace “high-albedo” with “highly reflective”

While aspects of the existing policy are found in the redrafted policies they do not extend to properties which are not in the public realm, and do not provide the same level of protection to parks as is found in the current policies.

The revised Policy 3 limits these protections to the street proportion, and by referencing streets and adjacent right of way width.

Policy 3 c) is limited to public realm and not properties thus limiting the opening wording which includes properties

Reinstate part of the wording of the existing Policy 3 as follows:

Development will limit its impact on the neighbouring streets, parks, open spaces and properties by:

a) adequately limiting the resulting shadowing of and uncomfortable wind conditions on neighbouring streets, properties and open spaces having regard to the varied nature of such areas: and

b) minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

3.1.3 Building Typologies

Introduction - There should be a reminder that the general (public realm and built form policies) apply to all typologies:

Add in first paragraph, line 4: “The following policies are intended to provide, *in addition to the other built form and public realm protections*, direction around building types...”

Missing Typology

While there are policies set out for Townhouse and Low-Rise Apartment Buildings, Mid-Rise Buildings, and Tall Buildings, there are no policies provided for Singles and Semi-detached Buildings. While the Neighbourhoods policy does provide some direction, there should be some specific policies dealing with massing, heights, materials, etc.

Townhouses and Low-rise Apartment Buildings

The policies provide the essential and needed legal backing for the related guidelines.

Mid-Rise Buildings

Paragraph 2, line 3: the reference to “Plan” should be to “Policy”?

The policies provide for regulation of height on the street, but not properties to the rear. There are different rear lot conditions – what it abuts, low-rise or mid-rise neighbourhood? whether there is a rear lane? There should be a reference to angular planes and setbacks to adjacent properties.

Tall Buildings

The Tall Building policies appear to be well considered but apply best to Downtown type streets. Different forms may be better for other areas. Tall buildings in “tower in the park” neighbourhoods should be considered differently than those in Downtown or Centres – they need to fit in with the existing character of the area. For example they should not automatically be required to have a podium. However, the winds created by tall buildings should be mitigated in building design or landscaping in some way.

Draft Terms of Reference for the Block Context Plan

While we support the requirement for a block concept plan to show what is around and what is planned, this will undoubtedly be an issue in execution. It is essential that the applicant and that planner meet to determine what the Block Context Plan should consist of. Who will be held accountable for the plan? How do applicants access the information needed? How will the information be obtained by one owner when it is held by another owner? Will the plan be formally adopted by Council?

The City may be able to assist with the provision of information – but at what point does the City decide that it has done so much work that maybe the concept plan should instead be a secondary plan? Should public participation be required?

To assist others, the order of information on the Block Context Plan sheet should be revised to place Rationale first.

Yours truly,

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Cc: Gregg Lintern, Chief Planner and Executive Director, City Planning Division
Lorna Day, Director, Urban Design
Joe Nanos, Director, North York District
Lynda Macdonald, Acting Director, Toronto and East York District
Steven Dixon, Senior Planner, Strategic Initiatives

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.

January 23, 2019

Our File No.: 000031

Via Email

City Planning
Strategic Initiatives, Policy & Analysis
22nd Floor, Metro Hall
Toronto, ON M5V 3C6

Attention: Steven Dixon (steven.dixon@toronto.ca)

Dear Sirs/Mesdames:

Re: Draft Built Form Policies

We are solicitors for Madison Group, who are active landowners and developers within the City of Toronto (the “City”). We are writing to provide our client’s comments regarding the draft built form policies released for comment by the City in late-2018 (the “**Draft Policies**”).

Lack of Transition

We understand that the Draft Policies are being developed as part of the City’s ongoing five-year review of its Official Plan, as commenced by the City in 2011. As such, we further understand that the City is proposing to adopt the Draft Policies pursuant to Section 26 of the *Planning Act*, which would mean the City would forward the Draft Policies to the Minister for a decision. Recent changes to the *Planning Act* mean such a decision would not be subject to appeal.

Our client’s concern with this approach is the potential application of the Draft Policies to existing *Planning Act* applications. As the City knows, well-established jurisprudence requires such applications to be evaluated in accordance with the approved policy regime in place at the time such applications are filed. We trust that appropriate transition policies will be advanced to recognize this well-established legal principle, especially given the City’s thematic approach to its official plan review.

Existing of Planned – Further Clarity Required

The existing sidebar on page 3-7 of the Official Plan provides clarity that the planned context will prevail when interpreting the built form policies as they relate to height and density. However, as a sidebar, this provides context and background to assist in understanding the intent of policies, but it is not policy.

The Draft Policies should be revised to provide such clarity in policy to ensure that the planned context is determinative in areas where growth is anticipated and/or directed by the Official Plan, as opposed to areas (such as those designated as *Apartment Neighbourhoods*) where the existing context is more informative. As proposed, the Draft Policies retain inappropriate ambiguity when reviewing built form matters such as street proportion (sidebar), streetwall height (3.1.2.3(a)), new building design (3.1.2.6), mid-rise buildings (3.1.3.4(a)), tower separation (3.1.4.7(a)) and tall building base buildings (3.1.4.8(a)). In particular, the Draft Policies require additional clarity that new buildings in growth areas should implement the planned context, which is often at a scale and intensity greater than the existing context.

Additional Setbacks at Street Intersections

Our client's understanding of the intent of proposed policy 3.1.2.1(b) is to support pedestrian activity in the public realm. Further consideration should be given to this policy to clarify what is meant by "public buildings" and to recognize that the pedestrian experience can be enhanced through at-grade setbacks.

Building Entrances

The Draft Policies contain an internal conflict between Policy 3.1.2.1(c) and 3.1.4.3(a) regarding building entrances. This internal conflict should be addressed through revisions to Policy 3.1.2.1(c), which as drafted is overly restrictive. While building entrances should be prominent, clearly visible and directly accessible, this policy would inappropriately limit building entrances to certain facades and only in certain locations without any flexibility to consider other design options. There may be instances where a main building entrance can be provided in an appropriate manner without strict compliance with this policy.

Transition in Scale

Proposed policy 3.1.2.4 is overly restrictive in requiring transition in scale within the development site. This may be appropriate for some redevelopment sites, but there may be other contexts where no transition in scale is required within the development site given the nature of the area and surrounding context. This policy should be revised to enable flexibility to consider the area and surrounding context when considering the nature of transition required.

Limit Overlook

Proposed policy 3.1.2.5 would require development to "limit overlook" without any guidance regarding what is intended to be protected from overlook. A more appropriate approach would be to revise this policy to ensure that adequate privacy is provided, having regard for the planned context.

Cultural Heritage

Proposed policy 3.1.2.7 should be deleted. The City has already reviewed its policies regarding cultural heritage as part of its official plan review process. This review resulted in Official Plan Amendment No. 199, which was appealed but settled through mediation. It is inappropriate and against the spirit of the prior settlement to use the Draft Policies to include new policies regarding cultural heritage.

Precedent

Our client recognizes that the intent of proposed policy 3.1.2.8 is to ensure that an existing building or approval is not a “precedent” as a legal matter, but such buildings and approvals do form part of the existing context. As such, our client would recommend Policy 3.1.2.8 be revised to read as follows:

8. The organization, massing and height of a building on one site may form part of the existing context but will not be a precedent for development on an adjacent or nearby site.

Pedestrian Connections

Proposed policy 3.1.2.9(f) would appear to require pedestrian routes through a site without recognition that certain sites cannot accommodate such pedestrian connections. If the intent of this proposed policy is simply to ensure appropriate pedestrian circulation within a site, then the proposed policy should be revised to provide such clarity.

Amenity Space

The proposed policies regarding amenity space should be reconsidered for a number of reasons. First, proposed policy 3.1.2.10 has been revised to remove the reference to “significant”, which means that all multi-unit residential developments must now provide indoor and outdoor shared amenity space. This represents a fundamental change from the current policy framework and will make it harder to do smaller multi-unit residential development in the City and to achieve increased affordability.

Second, proposed policy 3.1.2.11 is overly prescriptive and provides no flexibility for the provision of outdoor amenity space. In particular, many intensification projects, including mid-rise projects, will find it challenging to satisfy all of these requirements meaning that this policy will act as a disincentive to achieve the re-urbanization of many of the City’s main streets.

Finally, the reference to “throughout the year” in proposed policy 3.1.2.10 is problematic because it would apply equally to indoor and outdoor shared amenity space. As an example, it cannot be the intention of the Draft Policies for new residential developments to provide outdoor amenity space that provides programming for residents in the winter.

Tall Buildings

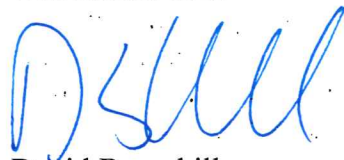
The Draft Policies are overly prescriptive for tall buildings and consideration should be given to flexibility in the policy language, as the City has already adopted Official Plan Amendment No. 352. For example, proposed policy 3.1.3.7(b) would require a 12.5 metre tower setback to a side or rear lot line without consideration of the adjacent land use. Similarly, proposed policy 3.1.3.7(a) is overly prescriptive and does not allow any flexibility for site-specific or contextual circumstances.

Further, proposed policy 3.1.3.9 should be deleted or revised to provide for flexibility. As drafted, it creates a mandatory requirement for such increases without any regard for the context or site-specific circumstances.

Thank you in advance for considering these comments. As always, our client would be pleased to meet with staff to discuss these comments and potential revisions to the Draft Policies.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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