

## **Housing Action Plan: As-of-Right Zoning for Mid-rise Buildings on Avenues and Updated Rear Transition Performance Standards – Proposals Report**

**Date:** May 27, 2024

**To:** Planning and Housing Committee

**From:** Interim Chief Planner and Executive Director, City Planning

**Ward:** All

**Planning Application Number:** 23 207644 CPS 00 OZ

### **SUMMARY**

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The City is advancing several initiatives under the Housing Action Plan and the Expanding Housing Options in Neighbourhoods (EHON) initiative to make changes to the City's Official Plan, Zoning By-law and Urban Design Guidelines to enable more housing in neighbourhoods along major streets and Avenues, in transition zones and in major growth areas.

This report proposes amendments to the city-wide Zoning By-law 569-2013 to permit heights and densities that would enable mid-rise buildings on lands designated Mixed Use Areas in the Official Plan along Avenues. The draft zoning by-law amendment implements urban design performance standards, including updated standards for rear transition and increases height and density permissions. This report also provides an update on the Mid-rise Performance Standards Urban Design Guidelines with respect to rear transition.

The As-of-right Zoning for Mid-rise Buildings on Avenues proposal and updates to the Mid-rise Buildings Performance Standards are two of 54 initiatives under the Housing Action Plan. The proposed zoning by-law amendment and update to the Mid-rise Performance Standards Urban Design Guidelines with respect to rear transition would remove barriers, ease administration, and support the creation of more housing as part of the Housing Action Plan to achieve or exceed the provincial housing target of 285,000 new homes over the next 10 years.

Mid-rise buildings have heights generally no greater than the width of the right-of-way that the building fronts onto, up to 11 storeys. Mid-rise buildings are encouraged along Avenues designated Mixed Use Areas in the Official Plan, with their physical form and relationship to their context informed by the Mid-rise Building Performance Standards Urban Design Guidelines.

City Planning is conducting a comprehensive review of the Mid-Rise Building Performance Standards Urban Design Guidelines, and has completed initial updates to the performance standards for Rear Transitions between mid-rise buildings and other buildings or open space uses. This report summarizes the updated Rear Transition Performance Standards Urban Design Guidelines, which inform the proposed zoning by-law amendments to enable mid-rise buildings on Avenues. The final updated Rear Transition Performance Standards 5A and 5B will be formally incorporated in the consolidated Mid-rise Building Urban Design Guidelines document and presented to Planning and Housing Committee in Q4 2024.

The as-of-right zoning for mid-rise buildings and updates to the Mid-Rise Building Rear Transition Performance Standards Urban Design Guidelines are only one of many actions in the Housing Action Plan that support the objective of enabling additional housing supply across Toronto's Major Streets and Avenues. Other related action items include: the Expanding Housing Options in Neighbourhoods (EHON) Major Streets Study, As-of-Right Zoning for Avenue Studies with no Implementing Zoning, the Avenues Policy Review, Expanding Mixed Use Areas, and Implementing Zoning for new Mixed Use Areas. City Planning has either reported out on the actions such as the Major Streets Study or is working to advance these action items in a comprehensive and integrated manner.

## **RECOMMENDATIONS**

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

1. Planning and Housing Committee direct the Chief Planner and Executive Director, City Planning, to consult stakeholders and the public on the proposed draft zoning by-law amendment and report back with the final recommended zoning by-law amendment in the third quarter of 2024.
2. Planning and Housing Committee direct the Chief Planner and Executive Director, City Planning, to incorporate the updated Rear Transition Performance Standards 5A and 5B for Mid-rise Buildings appended as Attachment 2 to this report in the draft consolidated Mid-Rise Building Urban Design Guidelines in the fourth quarter of 2024.

## **FINANCIAL IMPACT**

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City Planning confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

## **EQUITY IMPACT STATEMENT**

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The City of Toronto recognizes that housing is essential to the inherent dignity and well-being of a person and to building sustainable and inclusive communities. Access to safe, good quality, and affordable housing is an important determinant of physical and mental health, and a fundamental goal of the City's Housing TO 2020-2030 Action Plan. Adequate and affordable housing is also a cornerstone of inclusive neighbourhoods, supports the environment, and improves the socio-economic status of individuals, families and communities as a whole.

The adequate provision of a full range of housing is a matter of Provincial interest and a key tenet of the City's Official Plan policies. The City's Housing Action Plan takes a multi-pronged approach to increasing housing supply, housing choice and affordability for current and future residents. To this end, the updates to the Mid-Rise Buildings Performance Standards are intended to make it easier to build well-designed housing in a mid-rise form across the city. The proposed zoning by-law updates will eliminate the need for site-specific rezoning to construct mid-rise buildings in many areas along the City's Avenues, removing barriers and accelerating approvals for this form of housing. Expanding housing options by facilitating timely mid-rise intensification in existing communities is an important step towards enabling both market, non-market, and mixed housing production to exceed the provincial housing target of 285,000 new homes over the next 10 years.

These initiatives support the creation of a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes, leading to more equitable and inclusive communities.

## **CLIMATE IMPACT**

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In 2019, City Council declared a Climate Emergency for the purpose of "naming, framing and deepening our commitment to protecting our economy, our ecosystems and our community from climate change" ([Item MM10.3](#)). This was followed up more with the adoption of TransformTO Net Zero Strategy, which includes targets to achieve net-zero emissions in Toronto by 2040 ([Item IE26.16](#)).

The Provincial Growth Plan supports intensification and building "compact and complete communities" as a strategy to help reduce greenhouse gas emissions and plan more adaptive communities that are resilient to the impacts of climate change. Facilitating the construction of mid-rise buildings is an important intensification strategy that promotes a more efficient use of land and resources. Density within built up areas supports low carbon transportation choices, such as walking, cycling, and public transit.

Intensification in Toronto also reduces the need for sprawl to accommodate our housing need in the region, helping to protect agricultural lands, water resources and natural areas. Increasing density in built up areas maximizes the use of existing infrastructure, which avoids carbon-intensive infrastructure built elsewhere.

As part of the review of the Rear Transition performance standards, a life cycle analysis of prototypical mid-rise buildings was conducted, and determined that the proposed updates to the Mid-Rise Building Performance Standards Urban Design Guidelines with a reduction in step-backs would simplify the mid-rise structures and forms, provide more options for sustainable structural systems and construction methods, and reduce total areas of complex assemblies that have higher carbon intensities. The updates will help the mid-rise building to be designed to achieve net zero operational emissions and use low carbon materials for construction.

## **DECISION HISTORY**

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At its meeting of July 6, 2010, City Council approved a staff report regarding the “Avenues and Mid-Rise Buildings Study and Action Plan”, which included the Mid-Rise Buildings Performance Standards. Council directed staff to monitor the Performance Standards over a two-year period. Council's decisions can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>

At its meetings on November 13, 2013, May 29, 2014, and November 3, 2015, City Council received reports monitoring the implementation and effectiveness of the Performance Standards. The Council items can be found at: <https://secure.toronto.ca/council/agenda-item.do?item=2013.PG27.4>  
<https://secure.toronto.ca/council/agenda-item.do?item=2014.PG33.13>  
<https://secure.toronto.ca/council/agenda-item.do?item=2015.PG7.1>

In June 2016, City Council adopted a revised Mid-Rise Building Performance Standards Addendum, for 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 Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Performance Standards. Council's decisions can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

On December 14, 2022, City Council adopted Item CC2.1 – “2023 Housing Action Plan”, which directed the City Manager to develop a Housing Action Plan for the 2022-2026 term of Council that will support the City in achieving or exceeding the provincial housing target of 285,000 new homes over the next 10 years. The Housing Action Plan is to include targeted timelines for the approval and implementation of a range of policy, program, zoning, and regulatory actions to increase the supply of affordable housing in support of complete communities. Council's decisions can be found at: <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC2.1>

On March 21, 2023, Executive Committee endorsed Item EX3.1 - “Housing Action Plan 2022-2026- Priorities and Work Plan” including direction to City Planning to review and update the Rear Transition Performance Standards from the Avenues & Mid-Rise Buildings Study (Standards 5A through 5D) as an initial project and bring subsequent reports with recommended zoning by-law amendments establishing city-wide zoning performance standards to implement as-of-right mid-rise development on Avenues. <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX3.1>

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On June 1, 2023, Planning and Housing Committee received Item PH4.7 a preliminary report on the “Mid-Rise Buildings Rear Transition Performance Standards Review & Draft Update”, and directed the Chief Planner and Executive Director, City Planning to undertake public and stakeholder consultation on the Draft Performance Standards, as well as other existing Mid-Rise Buildings Performance Standards, in the third and fourth quarter of 2023 and report back with final recommendations on the Rear Transition Performance Standards, as well as any additional feedback from the consultation by November 30, 2023. <https://secure.toronto.ca/council/agenda-item.do?item=2023.PH4.7>

On November 8, 2023, City Council adopted Item EX9.3 - "Generational Transformation of Toronto's Housing System to Urgently Build More Affordable Homes" which included an update on the Housing Action Plan workplan items. Council's decisions can be found at: <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX9.3>

On November 30, 2023, Planning and Housing Committee received Item PH8.4 a status report on the “Housing Action Plan: Mid-Rise Buildings Rear Transition Performance Standards Review & Update”, and directed the Chief Planner and Executive Director, City Planning to report back in Q2 2024 with the final updated Rear Transition Performance Standards and Zoning By-law Amendments to implement as-of-right permissions, and to make best efforts to report back by Q4 2024 with draft consolidated Mid-rise Building Urban Design Guidelines incorporating recommendations from monitoring, public and stakeholder consultation, and analysis that amend the performance standards with the goal of encouraging mid-rise developments that are more economical to build and more environmentally sustainable. <https://secure.toronto.ca/council/agenda-item.do?item=2023.PH8.4>

On December 13, 2023, City Council adopted Item MM13.27 – “Federal Housing Accelerator Fund - Supporting Generational Transformation of Toronto’s Housing System” including direction to the Deputy City Manager, Development and Growth Services, to receive receipt of the Housing Accelerator Fund program funds, in accordance with the terms and conditions of the Contribution Agreement and any related agreements, directives or program guidelines. Council's decisions can be found at: <https://secure.toronto.ca/council/agenda-item.do?item=2023.MM13.27>

On February 28, 2024, Planning and Housing Committee received Item PH10.3 – “Housing Action Plan: Avenues Policy Review – Proposals Report”, and requested the Chief Planner and Executive Director, City Planning to undertake broad public and stakeholder consultation on proposed policy directions for updating Official Plan Avenues policies, and report back with recommended Official Plan Amendments in Q4 2024; to explore policy and mapping changes for certain City-owned sites adjacent to existing Avenues with potential to support the delivery of housing; and to consider redesignation of lands identified as areas of transition from Neighbourhoods to Mixed-Use to better facilitate mid-rise development on Avenues. <https://secure.toronto.ca/council/agenda-item.do?item=2024.PH10.3>

## **PROPOSED AMENDMENTS**

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City Planning has identified updates to the Urban Design Guidelines (“UDG”) setting out Rear Transition Performance Standards for Mid-rise Buildings and updated Zoning By-law permissions on Avenues as key actions to enable development of mid-rise buildings along Avenues, while balancing the integration of this scale of development with surrounding contexts.

### **Recommended Urban Design Guidelines for Mid-rise Building Rear Transition Performance Standards**

This report recommends initial updates to the Mid-rise Building Performance Standards UDG guiding how mid-rise buildings transition to other buildings at their rear, and to park or open space uses in adjoining areas.

The draft updated Rear Transition Performance Standards 5A and 5B provide opportunities for buildings up to 6 storeys to achieve rear transition through a single 7.5-metre setback rather than requiring the building to fit below an angular plane measured from the rear lot line.

Above the 6<sup>th</sup> storey to a maximum of 11 storeys, an additional step-back of 2.5-metres and/or separation distances is recommended to achieve a consistent transition to low-rise, mid-rise, tall and non-residential buildings, as well as parks, open spaces or natural areas. This recommended step-back replaces the previous guidelines respecting use of an angular plane to achieve transition.

The draft updated Rear Transition Performance Standards 5A and 5B would replace the existing performance standards for Rear Transition to Neighbourhoods, Employment Areas and Apartment Neighbourhoods in the 2010 and 2016 Mid-rise Building Performance Standards UDG and should be read together with the 2010 and 2016 Mid-rise Building Performance Standards UDG.

### **Proposed Zoning By-law Amendment**

This report introduces proposed amendments to city-wide Zoning By-law 569-2013 to implement as-of-right zoning permissions for mid-rise buildings along Avenues in the Commercial Residential (CR) zone. The amendments implement the updated urban design performance standards for rear transition, and height and density permissions. The amendments would apply to properties within Avenue segments that are not subject to Secondary Plans, Site and Area Specific Policies (SASPs), Avenue Studies or zoning by-law Site Specific Exceptions that contain conflicting built form direction. The proposed zoning by-law amendment has three primary components:

First, it amends the regulations of the CR Zone to add a new suite of development standards that reflect the proposed updated rear transition urban design Performance Standards 5A and 5B. This replaces requirements for the building to fit beneath an angular plane with specified setbacks and step-backs.

Second, it amends the Height Overlay Map for the subject areas to increase the permitted maximum building heights to align with the fronting right-of-way widths.

Third, it amends the Zone Labels on the Zoning Map for the subject areas, to apply the new development standards and to increase the permitted maximum density.

The proposed zoning by-law amendment would apply to those portions of the Avenues that do not have area-specific policy frameworks with conflicting built form direction resulting from a Secondary Plan, Avenue Study or similar planning study, or where the amendments might impact an existing site-specific development approval. A map of these areas form Attachment 1 to this Report.

## **BACKGROUND**

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The City's Official Plan envisions Avenues as "*important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.*" Historically, the implementation of the Avenues' vision has been in part dependent on completion of individual Avenue Studies initiated by the City in collaboration with local residents and businesses, which result in area-specific policies, design guidelines and in many areas implementing zoning. In advance of an Avenue Study, development proponents have completed Avenue Segment studies in support of site-specific development applications with implementing zoning applicable to the development site only.

Recognizing that the process of studying every Avenue would take many years, the City conducted the Avenues and Mid-Rise Buildings Study in 2010 resulting in a set of generalized urban design guidelines to help catalyze the re-urbanization of the Avenues while providing transition to adjacent areas. Zoning By-law permissions along the Avenues were not updated as part of that work, with the result that many development proposals that are in keeping with the direction of the urban design guidelines continue to require site-specific rezoning approvals.

### **2010 Avenues and Mid-Rise Buildings Study and Performance Standards**

The Mid-Rise Performance Standards were adopted by Council in July 2010, and underwent Monitoring and Updates, with an Addendum adopted by Council in June 2016. Council's adoption of the Avenues and Mid-Rise Buildings Study in 2010 intended to build on similar prior initiatives dating to the early 1990s, and encourage a mid-rise scale of development, particularly along the city's underutilized Avenues.

Prior to the adoption of the city-wide guidelines, the implementation of the Avenues' vision had been dependant on completion of individual Avenues Studies or Avenue Segment studies. A faster and more pro-active approach was deemed appropriate to help put new housing and jobs close to existing transit and infrastructure. The result was the Avenues and Mid-Rise Buildings Study, which built on, and implemented, Official Plan policies by making recommendations, including Urban Design Performance Standards, to catalyze the re-urbanization of the Avenues while providing transition to

adjacent areas. The Mid-Rise Building Performance Standards can be found at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>

The outcomes of applying the Mid-Rise Building Performance Standards were monitored after implementation, resulting in revisions to Performance Standards identified through the Addendum (2016). Since that time, several City directions have become more prominent, such as addressing housing supply and affordability, tackling climate change, and building resilience. In this context, future updates to the Mid-Rise Building Performance Standards UDG document will align with these objectives, the Housing Action Plan and other Addendum directions.

## **Housing Action Plan**

The Housing Action Plan (HAP) priorities for the 2022-2026 term of Council was approved by Council in December 2022, and sets targeted timelines for the approval and implementation of a wide range of actions, policies and programs to increase the supply of housing within complete, inclusive and sustainable communities with the critical infrastructure to support growth.

The HAP actions focus on removing policy and zoning barriers to building housing; leveraging public lands to increase housing supply; preserving existing rental homes; supporting the development of a range of purpose-built rental homes (including market and non-market) through new and strengthened housing policies and programs; and supporting the community sector (including non-profit and co-op housing providers) to modernize and grow their stock.

The HAP's Avenues, Mid-Rise and Mixed Use Areas group of action items direct staff to identify policy, mapping, zoning and guideline changes that would simplify approvals and facilitate development along Avenues and in Mixed Use Areas. City Planning is actively working to advance these action items in a comprehensive and integrated manner. Collectively, these planning studies and initiatives will expand the areas of the City identified as Avenues, put in place updated Official Plan policies for Avenues to guide intensification and change along Avenues, provide zoning permissions for mid-rise development along Avenues, and update urban design guidelines for mid-rise development on Avenues.

Attachment 1 of this report provides a map of those areas of Toronto that are currently identified as Avenues in the Official Plan. The map shows which portions of the existing Avenues have previously been studied through Avenue Studies or other planning studies (resulting in either secondary plans or site and area-specific policies). As a result of the work program described below, both the extent of existing Avenues may grow, and the extent of lands designated Mixed Use within the Avenues may grow. Zoning initiatives for Avenues will collectively provide as-of-right zoning permissions for mid-rise development on all Avenues.



#### *Official Plan Policy initiatives:*

- Avenues Policy Review
  - Study of Official Plan policies exploring opportunities to streamline study requirements; extend and potentially introduce new Avenues; update the vision and policy direction for how Avenues will develop; and examine options for creating areas of transition between Avenues and Neighbourhoods to enable more housing.
- Expanding Mixed Use Areas Designations
  - Review of the Official Plan's Land Use maps to explore opportunities to expand the Mixed Use Areas designation in certain geographies.

#### *Zoning initiatives for Avenues:*

- As-of-Right Zoning for Mid-rise Buildings on Avenues (Avenues without Avenue Studies)
  - Zoning amendments to increase permitted heights and densities for Avenues where an Avenue Study defining area-specific built form policies has not been completed.
- As-of-Right Zoning for Mid-rise Buildings on Avenues (Avenues with completed Avenue Studies but no implementing zoning)
  - Project preparing implementing zoning for Avenues where an Avenue Study has been completed to enable as-of-right development that conforms to the adopted Area-Specific Policies and Urban Design Guidelines
- As-of-Right Zoning for Mid-rise Buildings on Avenues (New Avenues and Mixed Use Areas)
  - Project to update zoning permissions for any new or extended Avenues and expanded Mixed Use Areas designated by the HAP Official Plan Policy projects.

#### *Urban Design Guideline updates:*

- Updated Mid-Rise Building Rear Transition Performance Standards
  - A focused review of these performance standards to create additional opportunities to facilitate the development of mid-rise buildings, supporting increased housing supply in walkable, complete communities.
- Updated Consolidated Mid-Rise Building Urban Design Guidelines
  - A broader review to update and consolidate the existing Mid-Rise Building Urban Design Guidelines that incorporate recommendations from mid-rise monitoring, public and stakeholder consultation, and further analysis to promote economical and sustainable mid-rise development.

The new homes enabled by this strategy will contribute to the provincial housing target of 285,000 new homes in Toronto by 2031.

### **Housing Accelerator Fund**

In accordance with Council direction through Item - 2023.MM5.28, City staff submitted a Housing Accelerator Fund (HAF) application to CMHC on June 14, 2023, followed by a revised submission in September 2023. The City's HAF application included an action plan with a list of eight initiatives focused on increasing the supply of new homes;

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protecting existing homes and renters; revitalizing neighbourhoods across Toronto; and enhancing the City's capacity to accelerate the review, approval, and delivery of new homes through organizational re-alignment and new technology tools. The objectives and initiatives set out in the HAF build on and are aligned with the HAP.

## **POLICY AND PLANNING FRAMEWORK**

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### **Planning Act**

Section 2 of the *Planning Act* establishes matters of provincial interest to which City Council shall have regard in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the appropriate location of growth and development.

Under the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the "PPS" herein), and shall conform to provincial plans including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan" herein).

### **Provincial Policy Statement (2020)**

As of the date of this report, the PPS (2020) is in effect and provides policy provincial-wide direction on matters of provincial interest on land use planning and development to promote strong healthy communities, wise use and management of resources, and the protection of public health and safety. Decisions of City Council are required to be consistent with the PPS.

The PPS includes policies on key issues affecting communities, such as:

- managing and directing land use to achieve efficient and resilient development and land use patterns;
- providing for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents;
- planning public spaces, recreation, parks, trails and open space to promote healthy, active communities;
- providing infrastructure and public service facilities in an efficient manner that prepares for climate change impacts and projected needs;
- supporting long-term economic prosperity; and
- supporting energy conservation, air quality improvements, reduced greenhouse gas emissions and preparation for climate change impacts.

PPS Policy 1.4.3 b) directs planning authorities to permit and facilitate all housing options to meet the needs of current and future residents. Other policies relating to new housing and residential intensification include: Policy 1.4.3 d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists

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or is to be developed; and f) establishing development standards for residential intensification which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The Ministry of Municipal Affairs and Housing has introduced a proposed change to the PPS (2020) and Growth Plan (2020), to combine these provincial policy documents into a single policy instrument, the Provincial Planning Statement. As of the date of this report, the outcome and policy implications of the Provincial legislation is not known.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

As of the date of this report, the Growth Plan (2020) is in effect and provides a strategic policy framework for managing growth and development while supporting economic prosperity, protecting the environment, and helping communities achieve a high quality of life within the Greater Golden Horseshoe, of which the City of Toronto forms an integral part.

Among the policies and objectives of the Growth Plan (2020) are:

- directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process; and
- achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan.

As of the date of this report, the Growth Plan (2020) remains as the relevant provincial plan, to which Official Plan policies and Zoning By-law regulations conform.

### **City of Toronto Official Plan**

The City's Official Plan (2006) is founded on a growth management strategy which steers growth and change to some parts of the city, while generally limiting significant change in other areas. The Centres, Avenues, Mixed Use Areas, Regeneration Areas, Employment Areas and Institutional Areas absorb most of the anticipated increase in jobs and population.

Chapter 2 of the Official Plan sets out that the integration of transportation and land use planning is critical to achieving the overall aim of increasing access to opportunities throughout Toronto. Policies 2.2.1 and 2.2.2 direct that "a better urban environment, a

competitive local economy and a more socially cohesive and equitable city” will be achieved “through the integration and coordination of transportation planning and land use planning by: a) attracting more people and jobs to targeted growth areas in the city that are supported by good and affordable transit services and other infrastructure,” and that “Growth will be directed to the Centres, Avenues, Employment Areas and the Downtown [...] in order to: a) use municipal land, infrastructure and services efficiently; and b) concentrate jobs and people in areas well served by surface transit and higher-order transit stations;” among other objectives.

In conjunction with the Centres, Employment Districts and the Downtown and Central Waterfront, the Avenues form part of the City’s growth management strategy in the Official Plan. Identified on [Map 2 “Urban Structure”](#) of the Official Plan, the Avenues are areas of Toronto that will “reurbanize” to create new housing and job opportunities, improve transit service, create more shopping opportunities, and gradually improve the public realm. The Avenues are generally intended to perform a “main street” role by being a focal point for the local community and having a vibrant public realm.

Section 2.2.3 of the Official Plan establishes that the Avenues are anticipated to experience incremental growth and, to guide this growth, the City will undertake Avenue studies to establish a framework for their reurbanization, including implementing contextually appropriate zoning and design guidelines. Studying Avenues will happen over time and those Avenues with the greatest reurbanization potential will be prioritized for study. Avenues that already function well as “main streets” and have appropriate zoning are not likely to need further study. Recognizing that the process of studying every Avenue would take many years, the City conducted a study to identify commonalities among Avenues and previous Avenue studies which could be applied more broadly and expedite the implementation of the Avenues program across Toronto, resulting in the adoption of the Mid-Rise Building Performance Standards in 2010.

The Avenues are not a land use designation, and areas within them may be designated for Mixed Use Areas, Apartment Neighbourhoods, Neighbourhoods, or Parks and Open Space Areas, among others. The Official Plan policies for the relevant land use designation apply to and prevail on lands within the Avenues, to ensure that any new development respects and reinforces the general physical character of established neighbourhoods, and that parks and open spaces are protected and enhanced. The proposed zoning by-law amendment would apply only to lands within the Avenues designated Mixed Use Areas.

Sections 3.1.3 and 3.1.4 of the Official Plan contain policies guiding Built Form both generally and for specific building types including Mid-rise Buildings. These policies require that development be located and organized to fit with its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces. Development is required to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm.

Policy 3.1.4.4 requires that mid-rise buildings be designed to:

- have heights generally no greater than the width of the right-of-way that it fronts onto;
- maintain street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80 percent of the adjacent right-of-way width; and
- allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs.

The planned right-of-way width of each major street is identified on [Map 3 “Right-of-Way Widths Associated with Existing Major Streets”](#) of the Official Plan and provides the reference point for determining the maximum height for a mid-rise building on the Avenues, as well as direction and authority to obtain the dedication of land needed to achieve the ultimate planned corridor width as conditions of development.

### **Secondary Plans, and Site and Area Specific Policies**

Secondary Plans and Site and Area-Specific Policies (“SASPs”) establish local development policies to guide growth and change in a defined area of the City, guide the creation of new neighbourhoods and employment areas while ensuring adequate public infrastructure and environmental protection. Secondary Plan and SASP policies adapt and implement the objectives, policies, land use designations and overall planning approach of the Official Plan to fit local contexts and are adopted as amendments to the Official Plan.

The Official Plan contains almost fifty Secondary Plans, and hundreds of SASPs, providing tailored policy direction for geographic areas ranging in scale from the Downtown to individual sites. Many are located within or contain Avenues and are generally the result of a detailed planning study in the form of a Secondary Plan Study or an Avenue Study. When development is proposed within the area of a Secondary Plan or SASP, the policies of the Secondary Plan or SASP prevail.

Area-specific Design Guidelines are often prepared to supplement and provide interpretation guidance for Secondary Plans and SASPs. The Mid-Rise Building Performance Standards Urban Design Guidelines may be applied as a useful reference when formulating area-specific guidelines for an area under review, or where Secondary Plan or SASP policies support mid-rise development but do not regulate built form or fully address aspects of mid-rise site and building design through area-specific policies, guidelines or implementing zoning.

Zoning By-laws must conform to the policies of the Official Plan, including any applicable Secondary Plans and SASPs. An implementing zoning by-law is intended to be prepared concurrently with Secondary Plans or Avenues Studies where appropriate, however, at this time, not all Avenues that have been studied have implementing zoning.

## **Major Transit Station Areas and Protected Major Transit Station Areas**

The Growth Plan (2020) defines Major Transit Station Areas (MTSAs) as the area around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. The *Planning Act* sets out the ability for municipalities to establish Protected Major Transit Station Areas (PMTSAs), which are a subset of station areas that specify targets for minimum residents and jobs per hectare, permitted land uses, and required minimum densities, by delineating these MTSAs and PMTSAs in the Official Plan. Approval of the PMTSA delineations is a prerequisite for the use of inclusionary zoning, through which certain developments above a specified size threshold may be required to include a proportion of residential units as affordable units.

To date, City Council has adopted Official Plan Amendments (OPAs) that delineate 29 MTSAs and 105 PMTSAs, many of which overlap with the Avenues. These OPAs have been submitted to the Ministry of Municipal Affairs and Housing for approval. At the time of writing of this report, the Minister has not yet issued a decision on any of these OPAs.

## **Zoning By-law 569-2013**

On May 9, 2013, City Council enacted the city-wide Zoning By-law 569-2013. The purpose of the new city-wide Zoning By-law was to harmonize 43 former municipal by-laws from the pre-amalgamated City into one zoning by-law. The city-wide Zoning By-law comprehensively regulates all land uses, buildings and structures and applies to most of the City of Toronto. As some lands are not covered by the city-wide Zoning By-law, the comprehensive zoning by-laws from former municipalities remain in effect on some lands in the city.

Chapter 40 of the city-wide Zoning By-law, the Commercial Residential (CR) Zone Category implements the policies of the Mixed Use Areas designation of the Official Plan. This Zone Category permits a broad mix of residential and non-residential uses. The CR Zone regulates the built form of mixed-use development using Development Standard Sets (SS) that relate to the existing and planned context within an area. These comprise SS1 which generally applies to tall building areas within the Downtown, SS2 which generally applies to Avenues and other mixed use areas within the former Toronto and East York, and more intensive areas elsewhere in the city, and SS3 which generally applies to commercial plazas including along Avenues within the former municipalities of Etobicoke, North York and Scarborough.

The CR Zone label contains density permissions to regulate an overall permitted maximum floor space index for a lot (i.e., the gross floor area of all buildings on a lot divided by the lot area), and the ability to regulate the permitted maximum floor space index for non-residential (“c”) and residential (“r”) land uses on a lot.

Maximum height permissions are set out on the Height Overlay Map in metres and/or in storeys. In addition, the CR zone regulations also provide for default maximum permitted heights that apply when no height permissions are in the Height Overlay Map. The default permitted heights are 14.0-metres for lands subject to the SS2 standard set, and 11.0-metres for the SS3 standard set. Permitted maximum heights on the Height

Overlay Map generally range from 10.5 to 16.0-metres (3 to 5 storeys) for the SS2 areas and 9.0 to 11.0-metres (3 storeys) for the SS3 areas.

Section 900.11 of the city-wide zoning by-law contains Site-Specific Exceptions that apply to CR-zoned areas, which establish Site Specific Provisions or Prevailing By-laws or Prevailing Sections that govern over any inconsistent regulations elsewhere in the city-wide zoning by-law. Exceptions often contain detailed provisions regulating the height and setbacks for a building, and identify the applicability of individual CR zone regulations, including those forming part of the Development Standard Sets (e.g., angular plane requirements).

### **Urban Design Guidelines**

The Mid-Rise Building Performance Standards adopted by City Council on July 6, 2010 introduced urban design guidance for Mid-Rise Buildings on Avenues. The Mid-Rise Building Performance Standards Addendum adopted by City Council on April 20, 2016, expanded the applicability by introducing additional performance standards applicable to Mixed-Use, Employment, Institutional or some Apartment Neighbourhoods where the existing built form context supports mid-rise development, among other criteria.

The Mid-Rise Building Performance Standards address building typologies for Mixed-Use areas and those portions of major streets that have been identified as Avenues as part of the Urban Structure of the Official Plan.

The City's Design Guidelines may be found at: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/>

## **CONSULTATION**

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Engagement and consultation on the proposed Rear Transition Performance Standards UDG and Zoning By-law Amendment occurred from Spring 2023 to Spring 2024. The consultation included a diverse range of parties and stakeholders to ensure as many voices as possible were represented in this process.

### **Public Consultation Meetings - Spring/Summer 2023**

Staff consulted with industry and public stakeholders through Summer and Fall 2023 prior to the Status Update to Planning and Housing Committee in November 2023.

These included internal workshops, as well as public and stakeholder consultations on the draft Rear Transition Performance Standards released at the June 1, 2023, Planning and Housing Committee meeting, as well as existing Mid-Rise Buildings Performance Standards more broadly and the recommended as-of-right zoning amendments for mid-rise buildings. This includes three virtual stakeholder consultation meetings with CreateTO, experts in mass timber construction and the BILD development industry association, and two virtual city-wide public consultation meetings in Summer 2023, in addition to email correspondence and e-updates.

## Public Consultation Meetings - Spring 2024

Staff undertook additional consultations between March and May 2024 to present the proposed updates to the Rear Transition Performance Standards and Zoning By-law Amendment.

This included further internal workshops, and public consultations, including four in-person public consultations and two virtual public consultation meetings. An in-person consultation with open house, presentation and question and answer session was held in each of the City Districts, with virtual public consultation meetings on March 27 and April 17. A virtual stakeholder consultation meeting was held with the BILD on May 7. At the meetings, City staff gave a presentation providing an overview of mid-rise buildings and the City's planning framework, the proposed modifications to the Mid-rise Performance Standards and the zoning implementation approach. Following the presentation, City staff led question and answer periods with written and verbal questions and comments.

<b>Date</b>	<b>Meeting</b>	<b>Attendees</b>
April 5, 2023	Industry Stakeholder Roundtable	15
July 18, 2023	CreateTO Mass Timber Pilot staff	6
September 5, 2023	Intelligent City (Mass Timber Manufacturer)	4
September 15, 2023	Building Industry and Land Development Association (BILD) Toronto Forum	30-40
September 20, 2023	Virtual public consultation # 1 (Day)	115
September 20, 2023	Virtual public consultation # 2 (Evening)	86
March 21, 2024	In-person public consultation and open house Etobicoke Civic Centre	11
March 25, 2024	In-person public consultation and open house Metro Hall	10
March 27, 2024	Virtual public consultation # 3	26
March 27, 2024	In-person public consultation and open house North York Central Public Library	1
April 2, 2024	In-person public consultation and open house Scarborough Civic Centre	5-10
April 17, 2024	Virtual public consultation # 4	221
May 7, 2024	BILD Toronto Forum	40



A dedicated website for the HAP's Avenues, Mid-Rise and Mixed Use Areas group of action items was created at <https://www.toronto.ca/HAPAvenues>, which provides a centralized resource for background information on the Housing Action Plan, descriptions of the various projects, copies of reports, information on upcoming and past consultation events, and contact information for the City Planning teams. An email account ([HAP.Avenues@toronto.ca](mailto:HAP.Avenues@toronto.ca)) was also created to provide the public with a first point of contact for making inquiries and comments about this group of HAP projects.

A summary of the consultation findings can be found in Attachment 4 to this Report.

## **COMMENTS**

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### **Recommended Updated Rear Transition Performance Standards**

The review of the Mid-Rise Performance Standards focused on Performance Standards identified as barriers to implementing the vision of mid-rise buildings along the city's Avenues and in other Mixed Use Areas. The 2010 Mid-rise Performance Standards UDG prescribe the use of an angular plane to provide transition in scale from the rear of a mid-rise building to abutting residential apartment, low-rise residential or parks and open spaces. The use of a rear angular plane had been intended to allow lower buildings to extend closer to the property line, with the expectation that the upper elements of a building would be set back as a whole rather than on a storey-by-storey basis. However, experience shows that new development instead often proceeded with continuous floor-by-floor "wedding cake" terracing at the rear, to maximize the floor area that can be achieved beneath the angular plane.

Further, application of the angular plane precludes mid-rise development on some shallow sites that are otherwise appropriate for mid-rise. For residential buildings, various building and unit layout demands constrain the desirable range of building depths, with an ideal depth of approximately 18-metres providing space for a double-loaded floor plate configuration. Under the rear angular plane provisions, maintaining this optimal building depth for the top floor requires a deeper lot for every additional storey, and can create undesirable situations where the lower floors of the mid-rise building are too deep, resulting in very long units with limited natural light penetration on lower floors, while the upper floors of the mid-rise building are shallow and cannot accommodate a viable double-loaded floor plate.

While this terracing does provide transition as required by the policies of the Official Plan, strict adherence to this rear angular plane may result in buildings that are more costly and difficult to construct and produce more carbon emissions, during both construction and operations. The strict application of an angular plane assumes there are no other methods of achieving built form transition between areas of different scale. Experience demonstrates there are many other ways to achieve the same result with more balanced, positive outcomes.

Updates to the Rear Transition Performance Standards provide opportunities for buildings up to 6 storeys to apply rear transition through a single setback rather than an angular plane. As the mid-rise building gets taller to a maximum of 11 storeys, an

additional step-back and/or separation distances would be applied instead of a rear angular plane to achieve transition to low-rise, mid-rise, tall and non-residential buildings, as well as parks, open spaces or natural areas.

A carbon life-cycle analysis was conducted as part of the initial review and can be found in the June 2023 PHC report. This analysis found that the proposed reduction in building step-backs coupled with reductions in required parking already enabled by the City's zoning by-law, will result in more units and lower carbon emissions per unit per hectare, as well as lowering construction costs. Carbon emissions is one consideration in the approach to the revised Performance Standards for rear transition and must be considered along with good planning and urban design.

The recommendation on the rear transition further simplifies the mid-rise built form from June 2023's draft recommendations. The proposed upper 2.5-metre step-back at the 10th floor is eliminated. As a result of the reduced number of step-backs, the mid-rise building rear transition to low-rise, mid-rise, tall building and non-residential buildings would become consistent, with only one step-back at rear.

In addition, the setback of a mid-rise building with an active frontage facing onto a park has been increased from 5-metres to 6-metres to ensure a comfortable pedestrian environment with large growing trees and pedestrian walkways. Staff also added recommendations relating to landscaping to encourage planting of trees and preserving the existing mature trees in the backyard to protect views and privacy and improve the landscaping.

The draft updated Rear Transition Performance Standards 5A and 5B represent recommended standards replacing the existing performance standards for Rear Transition to Neighbourhoods, Employment Areas and Apartment Neighbourhoods in the existing 2010 and 2016 Mid-rise Building Performance Standards and should be read together with the rest of the 2010 and 2016 Mid-rise Building Performance Standards. An addendum with the recommended draft updated Rear Transition Performance Standards forms Attachment 2 to this report.

### *5A Rear Transition to Buildings*

The recommendation consolidates the three sections: 5A – to Low-Rise Buildings, 5C – to Tall Buildings, and 5D – to Non-Residential Buildings, in the draft Rear Transition Performance Standards at PHC on June 1, 2023, into one section 5A – Rear Transition to Buildings.

With the elimination of the upper step-back at the 10th floor, the transitions to residential buildings and non-residential buildings become the same. This change simplifies the final recommended performance standards as generally outlined below:

- A minimum rear yard setback of 7.5-metres, allowing space for access and landscaping;
- No rear step-backs for mid-rise buildings of up to 6 storeys (20-metres);
- For taller mid-rise buildings, a rear step-back of 2.5-metres above 6 storeys (20-metres).

To other mid-rise or to tall buildings

- A minimum 20-metre separation distance between mid-rise buildings and other mid-rise or tall buildings for all facing conditions, including where there is a shared base building;
- Separation may be reduced to 15-metres at lower levels, where tall buildings have a low-scaled (up to 6 storey) base building.

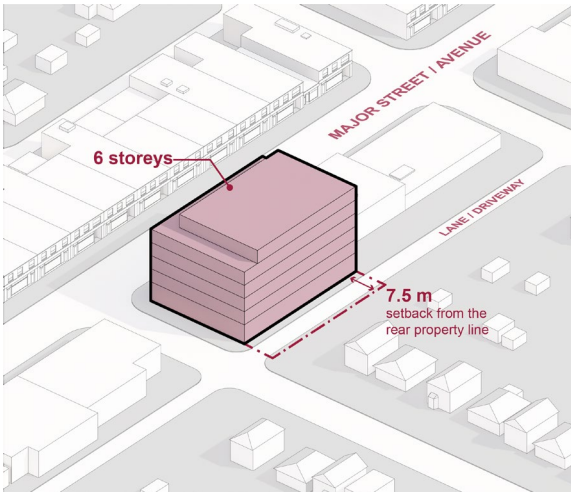


Figure 1: Sample illustration of a 6-storey building with no step-backs required at rear setback line.

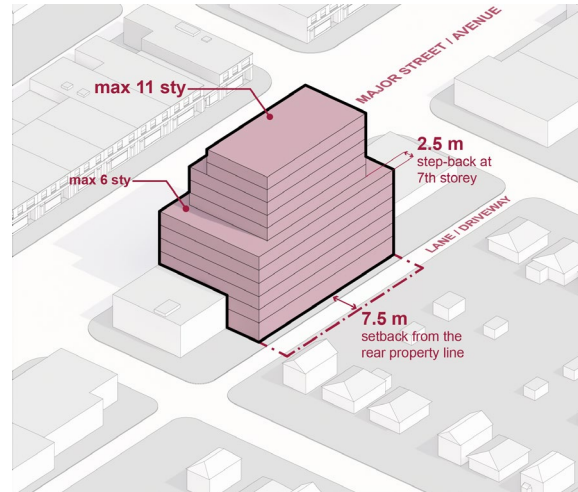


Figure 2: Sample illustration of an 11-storey building with one step-back at rear setback line.

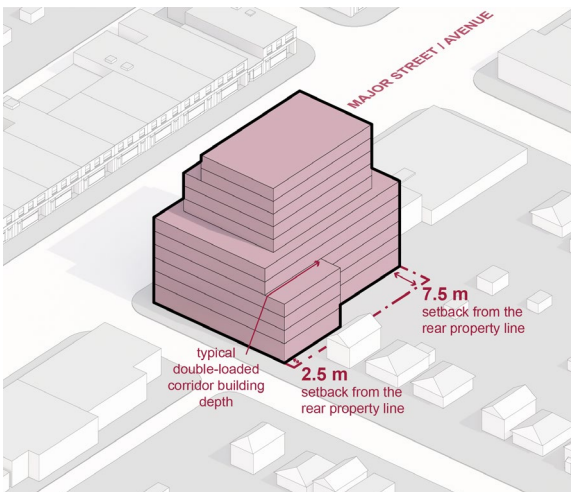


Figure 3: Sample illustration of an 11-storey building with one step-back at the rear for the taller portion of the building and a reduced setback at the rear for the lower portion of the building facing the existing side yard.

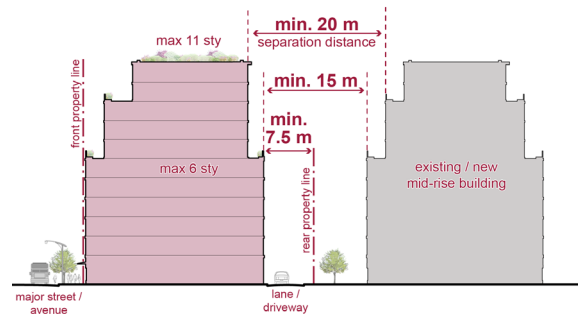


Figure 4: Sample illustration of a mid-rise building with a mid-rise building to the rear, showing a minimum 20 metre separation distance, with step-backs applied.

5B Rear Transition to Parks and Open Spaces

The proposed rear transition to parks and other open spaces is generally consistent with the draft updated Performance Standard presented to PHC in November 2023. A change has been made to delete the reference to “angular plane” in relation to the transition between a mid-rise building and parks, open spaces or natural areas. Staff believe the proposed combination of setbacks and step-backs can address the objective of minimizing shadow on the park, open space, or natural area. Another change is made to this section to suggest retail activities be permitted along park frontage and delete the clause “indoor amenity spaces are not encouraged along park frontages.” based on internal staff recommendation. This helps to clarify the urban design intent of providing active uses along the park frontage instead of deciding on which uses are active or not active.

Updates to this Performance Standard prioritize the impacts on, and relationship with, the public realm. Application of an angular plane is identified as just one method by which to achieve transition to parks, open spaces, or natural areas, and mitigation of impacts may be demonstrated through a combination of these transition approaches. The recommended Performance Standards generally outline:

- A minimum 10-metre setback from building face to property line, allowing space for access through a rear public lane or private driveway and associated landscaping;
- A reduced minimum 6-metre setback from building face to property line where the building provides active edges to frame parks, open spaces;
- Above 6 storeys, further transition considerations based on the location of the building relative to the adjacent park, open space, or natural area, and minimizing shadowing on these spaces.

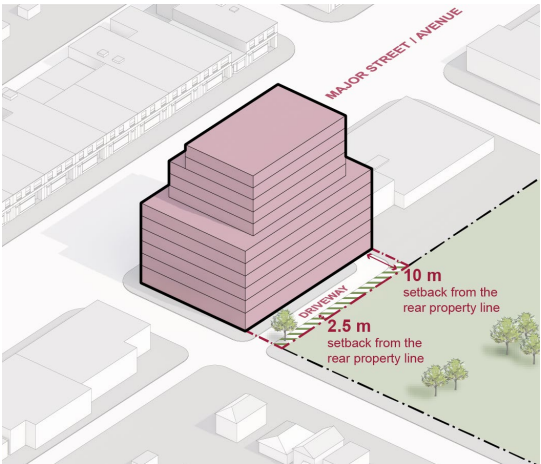


Figure 5: Sample illustration of a mid-rise building separated by an on-site private driveway from a park or open space to the rear. The setback at grade includes a landscape edge.

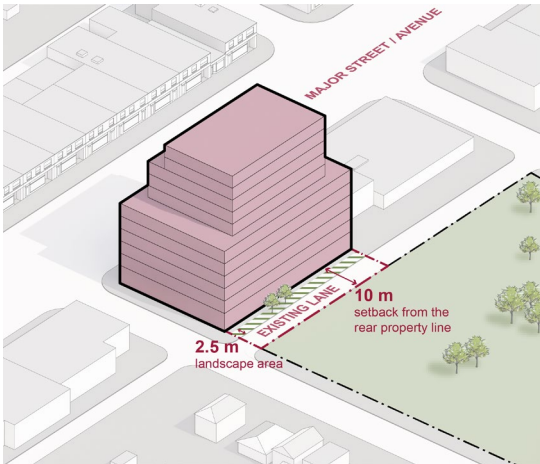


Figure 6: Sample illustration of a mid-rise building separated by a public lance from a park or open space to the rear. The setback at grade includes a landscape edge.

The updates to these Performance Standards also make lot depth requirements more consistent in comparison to the 2010 Mid-Rise Building Performance Standards, with the ideal lot depth reduced to between 24-30-metres for buildings up to 6 storeys, and 30-36-metres for buildings up to 11 storeys.

### *Other Rear Transition Standards*

Performance Standards 5C and 5D for deep and shallow sites are not being advanced at this time due to their dependency on aspects of the Avenues Policy Review. Urban Design staff continue to develop these Performance Standards, which will be included in the Q4 2024 report-back with comprehensive consolidated Mid-Rise Buildings Urban Design Guidelines document. This ongoing review may also result in refinements or additions to Performance Standards 5A and 5B to align with revisions to other performance standards for mid-rise buildings.

### **Recommended Zoning Changes**

The proposed zoning by-law amendment would amend the Commercial Residential (CR) Zone in the city-wide Zoning By-law 569-2013, and has three primary components:

First, it would amend the regulations of the CR Zone to add a new suite of development standards that reflect the proposed updated rear transition urban design Performance Standards 5A and 5B, replacing requirements for the building to fit beneath an angular plane with specified setbacks and step-backs.

Second, it would amend the Height Overlay Map for the subject areas to increase the permitted building heights to align with the fronting right-of-way widths.

Third, it would amend the Zone Labels on the Zoning Map for the subject areas, to apply the new development standards and to increase the permitted density so that a mid-rise building that complies with the updated height permissions and setback requirements can make full use of this building envelope.

### *Proposed Rear Transition Building Setbacks and Associated Regulations*

The proposed zoning by-law amendment would amend the Commercial Residential (CR) Zone provisions to create new Development Standard Sets (SS) implementing the new rear setback requirements and related updates.

The CR zone currently uses three Development Standard Sets which set out specific requirements, such as permitted maximum height for a building, required minimum and permitted maximum building setbacks, and angular planes, based on the different physical contexts found in the downtown (SS1), “main-streets” (SS2) and suburban areas (SS3). Within the Avenues, areas with an existing street-oriented character are generally subject to SS2, while those with a more automobile-oriented character such as commercial plazas with front yard parking areas are subject to SS3.

The amendment would create new Development Standard Sets SS4 and SS5, which would replace Development Standard Sets SS2 and SS3, respectively, for the lands along the Avenues that are subject to the amendment. This approach leaves intact the current permissions for properties zoned CR SS2 or SS3 that are located outside of the Avenues, or that have conflicting built form direction resulting from a Secondary Plan, Avenue Study or similar planning study, or where the amendments would impact an existing site-specific development approval.

In addition to regulations governing rear setbacks, the existing SS2 and SS3 standard sets also contain regulations that govern the size of certain uses and how buildings relate to the street on which they front. In general, the amendment incorporates these current SS2 regulations into the SS4 standard set, and the current SS3 regulations into the SS5 standard set, except as set out below.

The SS2 standards require that at least 75 percent of the front main wall be set back no more than 3-metres from the front lot line and restricts the location of vehicle access and front yard parking, to provide for a continuous pedestrian-oriented streetwall. The SS3 standards do not include this requirement, as they apply to vehicle-oriented areas such as commercial plazas with large front yard parking areas.

The requirements of the SS2 standard set are more consistent with the built form and public realm direction of the Mid-Rise Performance Standards and reflect the intended ultimate redevelopment of the Avenues for pedestrian-oriented mid-rise development. The draft amendments extend the SS2 requirements to both the new SS4 and SS5 standard sets; however, exemptions have been added for the SS5 standard set to accommodate lawfully existing buildings and facilitate gradual infill of larger commercial front yard parking areas.

The proposed SS4 and SS5 standard sets contain consistent requirements for Building Setbacks, including those providing rear transition to implement the updated urban design performance standards for mid-rise buildings. They provide for different rear setbacks that respond to the abutting context, including: a general situation where the proposed mid-rise building would back on to another building or a public lane; a special case for corner lots where no public lane can be provided that accommodates a lower-scale rear extension towards adjacent residential properties; and situations where the mid-rise building backs on to a park or other open space. The required rear yard setbacks for these situations are summarized below:

General:

- 7.5-metre setback from the rear lot line to a height of 20-metres (6 storeys);
- 2.5-metre step-back (total 10.0-metre rear yard setback) above a height of 20-metres (6 storeys).

Corner Lot with no public lane abutting a zone in the Residential Zone category:

- 7.5-metre setback from the rear lot line to a height of 20-metres (6 storeys);
- 2.5-metre step-back (total 10.0-metre rear yard setback) above a height of 20-metres (6 storeys);

- a rear building extension with a height of no more than 14-metres (4 storeys) is permitted to extend to a rear yard setback of 2.5-metres, to step down towards the Residential Zone;
- the depth of a rear building extension, measured perpendicularly from the flanking street, is limited to the permitted building depth for a residential building on the abutting lot, which is generally between 17 to 19-metres.

Corner Lot abutting Parks or an Open Space (O), Open Space - Natural (ON) or Open Space - Recreation (OR) Zone, where the building's servicing and vehicular access areas face the Park:

- 10.0-metre setback from the rear lot line to a height of 20-metres (6 storeys);
- 2.5-metre step-back (total 12.5-metre rear yard setback) above a height of 20-metres (6 storeys).

Corner Lot abutting Parks or an O, ON or OR Open Space Zone, where the building contains residential entrances, amenity or commercial uses facing the Park:

- 6.0-metre setback from the rear lot line to a height of 20-metres (6 storeys);
- 6.5-metre step-back (total 12.5-metre rear yard setback) above a height of 20-metres if the building is located south of a Park, to enhance sunlight conditions;
- 2.5-metre step-back (total 8.5-metre rear yard setback) above a height of 20-metres, if the building is not located south of a Park.

### *Increasing Height Permissions*

The proposed zoning by-law amendment would update as-of-right height permissions where necessary, in addition to implementing the updated rear transition performance standards.

Staff have conducted a review of existing maximum height and density permissions along the Avenues to ensure that the zoning permissions facilitate development consistent with the updated Mid-rise Performance Standards UDG. The 2010-2016 Mid-rise Building Performance Standards UDG define the maximum height for a mid-rise building as being in proportion to the width of the right-of-way on which the building fronts, to a maximum height of 36-metres or 11 storeys.

The proposed zoning by-law amendment increases height permissions such that the maximum mid-rise building height is permitted based on Avenue planned right-of-way width as set out on Map 3 of the Official Plan. Where lands do not currently have a height (HT) or storey (ST) value on the Height Overlay Map in the city-wide zoning by-law, the amendment would permit a maximum height of 20-metres for SS4, and a maximum height of 27-metres for SS5, reflecting the narrowest planned ROW width along the relevant Avenues.

The amendment further updates the HT value (and ST value if applicable) on the Height Overlay Map for the subject properties to correspond with the planned right-of-way width of the street on which they front. The planned right-of-way widths, proposed heights in metres and proposed heights in storeys are summarized in the below table.

<b>Planned Right-of-Way Width (Official Plan Map 3)</b>	<b>Proposed Permitted Building Height (metres)</b>	<b>Proposed Permitted Building Height (storeys)</b>
20	20	6
23	23	7
27	27	8
30	30	9
33	33	10
36	36	11

*Increasing Density Permissions*

The proposed zoning by-law amendment updates the maximum density permissions to enable the updated maximum height permissions and applicable rear transition. This is expressed in the Floor Space Index (FSI) values within the zone labels.

The proposed zoning by-law amendment applies these updated density values to an area based on the lot characteristics and context, including adjacencies to Parks, O, ON or OR zones and the presence of a public lane, as set out in the table below. To determine appropriate maximum density permissions, staff have analyzed historical approvals of mid-rise buildings from 2010 onwards, as well as modelling the anticipated interior floor areas resulting from the proposed rear transition standards in various contexts. The proposed density values are summarized in the below table.

<b>Building Height</b>		<b>Proposed Floor Space Index (FSI) by Context</b>			
<b>Building Height (metres)</b>	<b>Building Height (storeys)</b>	<b>Existing Public Lane</b>	<b>No Existing Public Lane</b>	<b>Abutting Park or O, ON, OR Zone</b>	<b>Located south of a Park or O, ON, OR Zone</b>
20	6	5.0	4.0	4.0	4.0
23	7	5.5	4.4	4.6	4.4
27	8	6.5	5.0	5.2	4.9
30	9	7.0	5.6	5.8	5.4
33	10	7.5	6.2	6.4	6.0



Building Height		Proposed Floor Space Index (FSI) by Context			
36	11	8.2	6.7	7.0	6.5

When a public lane is present, the rear yard setback is measured from the opposite side of the lane, which results in a correspondingly higher floor space index within the site compared to a situation where no lane is present, therefore the proposed values allow similar development potential to where a lane is not present.

The density values in the Zone labels set out the permitted maximum FSI, but also the maximum FSI that can be dedicated to non-residential uses and residential uses. This limits the encroachment of residential uses in areas where they may not be appropriate and helps achieve other planning objectives such as the inclusion of non-residential space at street level.

The proposed zoning by-law amendment would retain the existing approach when setting out the permitted maximum FSI to be dedicated to non-residential uses and residential uses. For example: in an area along a 23-metre right-of-way serviced by public lanes, an existing zone label of “CR 3.0 (c1.0; r2.5)” would be updated to “CR 5.5 (c1.0; r5.0)”, while a label of “CR 2.5 (c2.5; r0.0)” would be updated to “CR 5.5 (c5.5; r0.0)”, and a label of “CR 3.0 (c3.0; r3.0)” would be updated to “5.5 (c5.5; r5.5)”.

*Where the Proposed Changes will apply*

The proposed zoning by-law amendment will apply to lands:

- designated Mixed Use Areas in the Official Plan and identified as an Avenue;
- subject to the city-wide Zoning By-law 569-2013; and
- located in the Commercial Residential (CR) zone and subject to the SS2 or SS3 Development Standard Sets.

The proposed zoning by-law amendment would not apply to those portions of the Avenues that are subject to area-specific policy frameworks with conflicting built form direction resulting from an approved Secondary Plan, Avenue Study or similar planning study, or where the amendments would impact an existing site-specific development approval.

The resulting areas to which the proposed zoning by-law amendment would apply are shown on Attachment 1 to this Report.

**Water and Wastewater Servicing**

The draft ZBLA includes a regulation to ensure that there is a requirement for a review of local servicing capacity that will support applications proposing to develop more than 10 dwelling units, which aligns with threshold at which Site Plan Control approval is required. This regulation acknowledges the potential for occasional challenges related to ensuring adequate municipal servicing capacity for development of this scale

proceeding under as-of-right zoning permissions. Currently, the city-wide Zoning By-law 569-2013 requires demonstration of servicing connections to the lot line but does not contain a mechanism to confirm adequate capacity.

The recommended regulation introduces a new mechanism to require site-specific servicing capacity analysis before a building permit is issued for development applications with as-of-right zoning land use permissions. City Planning will continue to work with Toronto Water to monitor the effectiveness of this regulation, its impact on the financing and timelines for new development.

## **Conclusion**

Mid-rise buildings help establish and reinforce an attractive urban environment through a development form that is moderate in scale, has comfortable pedestrian conditions and predictable street proportions, allows for access to midday sunlight in the spring and autumn, allows for open views to the sky from the street, and supports high-quality, accessible open spaces. Mid-rise buildings also provide good transition in scale, with predictable and minimal impacts on adjacent low-scale areas.

The proposed updates to the Rear Transition Performance Standards Urban Design Guidelines and the proposed zoning by-law amendment advance the objectives of the Housing Action Plan by optimizing development potential in a mid-rise form that enables the delivery of housing along the City's Avenues in an environmentally sustainable manner.

The proposed zoning by-law amendment implements the updated Rear Transition Performance Standards, and increases the as-of-right maximum height and density permissions on Avenues that have not undergone a detailed study and do not have conflicting policy directions.

The proposed zoning by-law amendment would facilitate the reurbanization of the City's Avenues with a vibrant mix of commercial and residential uses performing a main street role, and would contribute to providing a full range of housing options in areas that are suitable for intensification and accessible by transit. The proposed built form standards and heights reflect an environmentally sustainable mid-rise form that maintains good street proportion and provides appropriate transition to neighbouring properties and the public realm. The recommended building envelope adequately limits shadow impacts on Neighbourhoods and adjacent parks and public open spaces, particularly during the shoulder seasons.

The proposed zoning by-law amendment would support the achievement of the required minimum densities that all new development must achieve within PMTSAs, as set out in the Council-adopted OPAs delineating MTSA and PMTSA boundaries.

## **CONTACT**

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## **SIGNATURE**

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Kerri A. Voumvakis  
Interim Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

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- Attachment 1: Illustrative Map of Current Policy Framework for Avenues and Subject Areas for Zoning By-law Amendment
- Attachment 2: Addendum to June 2023 Draft Rear Transition Performance Standards
- Attachment 3: Draft Zoning By-law Amendment
- Attachment 4: Summary of Consultation