



Tall Buildings: Up Up and Away?

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There has been much debate about tall buildings (buildings over 12 storeys in height) in Toronto in the past number of years particularly due to the decreasing availability of development land, and the province and municipal forces on intensification – but how tall is too tall and where should tall buildings be permitted?

As we have reported previously, the City of Toronto continues to review proposals for tall towers against its Tall Buildings Guidelines which set out standards for podiums, setbacks between sister towers and the like. Some of those Guidelines were incorporated into the City’s new comprehensive zoning by-law (under appeal and subject to possible repeal by City Council - see the Planning Updates section of this issue) while the Guidelines themselves were renewed last year by City Council for continued use in design review.

Over the last couple of years the City has embarked on the “second phase” of its tall buildings review through the “Tall Buildings Downtown Project”. In connection with this phase, the City has recently released the study commissioned by the City on this topic entitled: “Tall Buildings: Inviting Change in Downtown Toronto” (the “Study”). The Study focused on three issues: where should tall buildings be located; how high should tall buildings be; and how should tall buildings behave in their context. The Study is now being taken to stakeholders by the City for discussion.

The Study was restricted in terms of its areas of focus. The terms of reference for the excluded lands south of the Railway, Regent Park, the King-Spadina and King-Parliament areas and the University of Toronto Precinct, including Queen’s Park. Further, restrictions recommended by the Study itself would preclude the construction of tall towers in residential or low scale retail areas (e.g. Queen West) or where such construction would result in the shadowing of “First Tier” (i.e. Allan Gardens, Grange Park) and “Second Tier” (i.e. Dundas Square, Osgoode Hall Gardens) Parks or interfere with Landmark Views (Toronto City Hall, Queen’s Park and Old City Hall).

In its “Downtown Vision”, the Study identifies portions of downtown Toronto where tall buildings are considered to be appropriate. Those streets are divided into “High Streets” (i.e. University Avenue, Bay Street, Bloor Street and Jarvis Street) and “Secondary High Streets” (i.e. Charles Street, Elizabeth Street). Secondary High Streets are recommended to have a reduced height – or 2/3 the height permissions of High Streets.

Along the High Streets, six building height range categories are proposed with the tallest heights being granted to the Financial District and the lowest being set for portions of Jarvis and Church

Streets. The heights for each building are proposed to be broken down further into a three-tiered height limit as follows:

- a base podium height per building equal to the width of the High Street;
- an as-of-right height for the building sites based on the prevailing height of buildings along the particular street; and
- a “maximum” height for sites to be set out in the City’s Official Plan. That height, which may require a site-specific rezoning, will take into account all recent development approvals in that area. It will also form the basis for the City’s Section 37 “ask”. While the tower-podium form will be the preferred typology, the Study proposes other areas where different typologies may prevail, including portions of College Street (Canyon Form) and Jarvis Street (Landscaped Setback Form). In those areas the typology will form the basis for setback and other building characteristic requirements and may result in exceptions to the Regulations set out below. The same is proposed for Secondary High Street Form buildings.

All typologies will be subject to a set of seventeen performance standards identified in the Study as “Regulations”. These Regulations would govern everything from the podium design and height, building material, retail space requirements, streetscaping and overall landscaping, parking, tower foot prints and separation distances, setbacks, shadow and other impacts. The Regulations are intended to be used to test all development proposals, including where through a rezoning application, the proposal exceeds the recommended height for the site,

Priority Retail Streets are supported by the Study, which recommends adding such segments along certain High Streets under the applicable zoning by-law.

Given the length and complexity of the Study, a careful reading of it is required to understand how it may impact different sites in the City’s downtown core. This is particularly important for sites along streets like Yonge and Church Streets which are proposed to remain low rise in built form along certain stretches should the Study’s recommendations be adopted.

Consultation on the Study’s recommendations is ongoing until the end of April at which time City staff is to report back to City Council on the outcome of those consultations. Some time after that, it is anticipated that a new, consolidated, set of guidelines for tall buildings will be presented to Council for approval. This process may significantly re-shape the downtown landscape and with it new development proposals may be challenged and redevelopment opportunities may arise.

We will continue to follow the progress of the Project and keep you updated. ■