

PROPOSALS

light, view and privacy standards

for residential units in CR and QR districts

CITY OF TORONTO PLANNING BOARD

JULY 1977

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SUMMARY

The report "Proposals: Light, View and Privacy Standards for Residential Units in CR and QR Districts" sets out detailed specifications for residential standards regarding light, view and privacy for residential units in CR and QR districts to replace the interim standards now contained in the Central Area By-law. The proposed standards would now apply to mixed-use districts in the Central Area--mainly the districts formerly zoned C.1, C.1A, and C.1S. The standards would also apply to CR and QR districts as these are introduced in other parts of the City. The Yonge-St. Clair and Merton Street Area Plans, both adopted by City Council, call for CR districts. A slightly modified version of the standards has been approved as criteria for development review for the first phase of the St. Lawrence project.

Since the first report on proposed new standards, made in March of 1976, considerable discussion has taken place with members of the architectural profession, and further study has been made of existing buildings in Toronto and of applications made to the City for site plan by-laws and development review. While the proposals contained in this report are similar in approach to those in the first report, significant refinements and additions have been made. The specifications for By-law amendments and development review criteria in Chapters 5 and 6 represent generally acceptable as well as flexible standards.

The basic planning objectives for new standards are to ensure adequate light, view, and privacy for residential windows, and at the same time, to permit as much flexibility as possible in the design and arrangement of buildings. These objectives have been developed into standards that take the form of setback distances required between various types of residential windows and various facing conditions depending on the height of the window. The report proposes that the By-law requirements for setback represent a minimum acceptable condition. Minor reductions to these requirements may be permitted in certain cases by the Committee of Adjustment, but major reductions would be subject to a site plan by-law. In the development review process greater setbacks may be asked for in certain cases.

Particular aspects of the proposed standards reflect the Central Area By-law context. First, consideration is given to cases where the adjacent building may be non-residential, and where residential units may be located on a non-residential podium. Secondly, the height precinct system is used to permit reductions in setback requirements where the height limit is low, and thus where there would be no overshadowing by higher buildings. Thirdly, alternative standards for high buildings provide flexibility in high density areas by permitting closer spacing of walls and windows when adequate views out are maintained for a window.

1. INTRODUCTION

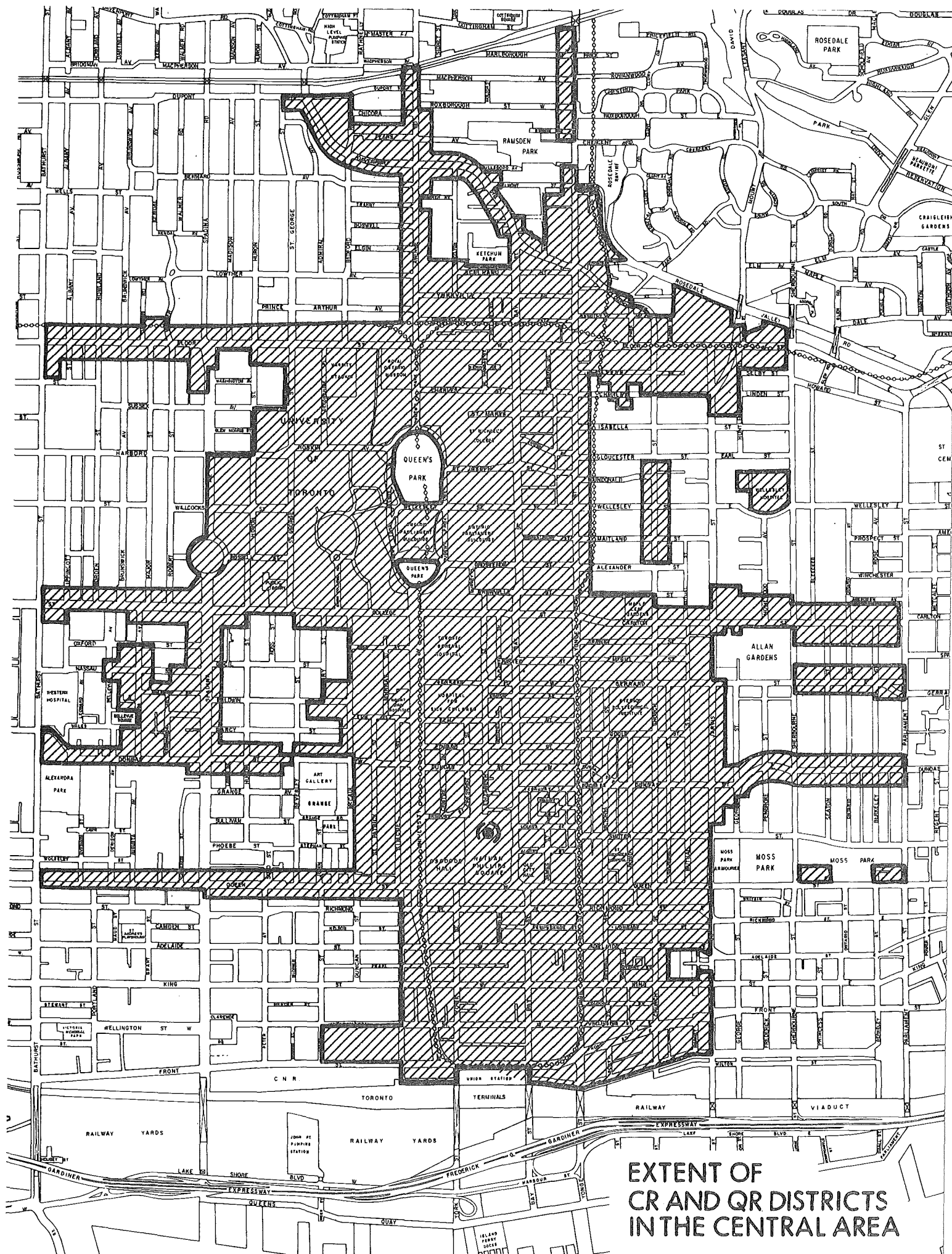
1.1 Background

The Central Area By-law, enacted by City Council on January 31, 1976, introduces two new mixed-use districts into the Zoning By-law: CR (commercial and residential) and QR (institutional and residential). The Central Area Zoning report which presented these districts also described a new system of standards to ensure adequate light, view and privacy for the residents of the district. However, this new system was not incorporated into the Central Area Plan By-law since the proposed standards, which varied considerably from the present By-law requirements, had undergone little discussion outside the Planning Board staff. Interim simple requirements were incorporated in Sections 12A and 12B of the Zoning By-law as amended by the Central Area By-law, as amended. (1)

1. "3. Setbacks and Coverage

- (a) No person shall erect a residential building or a mixed use building such that the coverage of the lowest floor in which dwelling units or dwelling rooms are located exceeds sixty (60) per cent of the area of the lot on which such building is located.
- (b) No person shall erect a residential building or a mixed-use building on a lot in a CR district in which the main window of the living area of a dwelling unit or dwelling room in such building is located any closer than:
 - (i) 50 feet to the main window of the living area of another dwelling unit or dwelling room located on the same lot, or
 - (ii) 35 feet to a window of a habitable room of another dwelling unit or dwelling room located on the same lot, or
 - (iii) 25 feet to a wall, or to a lot line which is not a street line or which does not abut a public park,

provided that the living area to which reference is made in this paragraph does not include a room used exclusively for the purposes of a bathroom, bedroom or kitchen."



EXTENT OF
CR AND QR DISTRICTS
IN THE CENTRAL AREA

A summary of the proposed standards, as revised through the working sessions and by further review by Planning staff, was circulated in October to those attending the working sessions, asking for comments. As well, the revised standards have been tested against recent development proposals for the Central Area. Further, the standards were subject of a meeting with members of the Central Ontario Chapter of the Canadian Institute of Planners held last October.

Thus, the proposed standards have undergone substantial review and have been found acceptable.

1.2 The Present System of Zoning Standards for Light, View and Privacy (for relevant excerpts see Appendix A).

At present, the Zoning By-law contains two distinct systems for regulating the siting of buildings so as to ensure adequate light, view and privacy for the residents of such buildings. One set applies to "residential" or R buildings-- buildings that are located in R districts, buildings located in C1A districts in which the residential portion of the building exceeds 10% of the total floor area, and buildings in C1 and C1S districts in which the residential portion of the building exceeds 50% of the total. The other set of standards apply to the residential portion of "non-residential" or C buildings. Such buildings are those in C1A districts where the residential portion is less than 10% of the total gross floor area and those in C1 and C1S districts where the residential portion is less than 50%.

The primary means of ensuring light, view and privacy for an "R" building is the complex system of setbacks, height limits, and angular planes contained in subsections (3), (4) and (5) of Section 4 of the Zoning By-law. The requirement for a certain minimum amount of "landscaped open space", as set out in subsection (12), Section 4, also tends to encourage the provision of a minimum amount of light around a residential building. These standards are referred to in this report as "R standards".

The standards for the residential portion of a "non-residential" or C building are much less stringent. Subsection (21), Section 4 of the Zoning By-law contains a general requirement that "vacant space" is to be provided in front of every habitable room, equal in area to the size of the room. The standards for C1S and C1 districts also include a provision that the coverage of the lowest floor where dwelling units are located should not exceed 50% of the area of the lot. (In April 1975, Council passed an amendment to the Zoning By-law increasing this maximum to 60% of the lot.) This standard, like the landscaped open space requirement, ensures a certain amount of light around the residential

units and rooms in CR and QR districts, to replace the present interim requirements in the Central Area By-law. The report also recommends certain development review criteria to be used in conjunction with the By-law requirements, to be adopted as a resolution of Council.

The next chapter of this report describes general approach and principles for the new standards. First, it examines the legislative system within which the standards must be implemented, then develops the physical framework for the standards. This framework consists of the distances required between a residential window and facing elements under various conditions, such as the use of the room, its location with respect to other buildings and the street, and its height above grade or deck level.

Based on the legislative system and physical framework, the third chapter sets out appropriate general standards for different conditions. The fourth chapter sets out special exemptions to the proposed general standards.

Finally, the fifth and sixth chapters recommend detailed specifications for By-law amendments and development review criteria.

"Sunlight and Daylight, Planning Criteria and Design of Buildings" - Great Britain

This handbook is used to review projects in terms of sunlight and daylight, in a planning review process that deals with each project on its own merits within a defined set of requirements. The amount of light reaching into a room is measured against daylight indicator charts which show acceptable conditions. Also, formulae are used to indicate whether acceptable amounts of sunlight reach certain windows. Discretion may be made in the application of the sunlight and daylight criteria to a particular project with more stringency called for or more relaxed standards permitted in the context of other planning and design objectives for a site. This sophisticated system of development review for light, view and privacy has been developed and used for a number of years.

Housing Quality Zoning - New York City

In this new type of zoning, criteria are set out for window size and privacy, as well as other aspects of the quality of housing. Points are awarded for the degree of compliance with each criterion. Full compliance with all requirements is not necessary. While such a system allows for discretionary review and thus allows for flexibility of design, it also may result in buildings which are less than acceptable in regard to light, view and privacy standards or other matters.

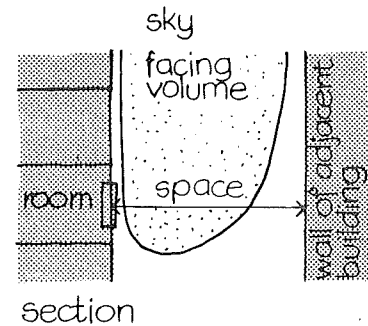
Under the legislative framework of The Planning Act, the first and third systems described above could be used only if each project undergoes site plan by-law review. This is clearly an undesirable process for most projects because of the time involved. The point system in the "Housing Quality Zoning" could possibly be translated into a Zoning By-law form but would require careful study to establish suitable criteria and scoring. At this stage, it is felt that a combination of Zoning By-law requirements and Development Review guidelines provides an adequate blend of certainty and flexibility.

Within this context, the following general principles have been used in developing the new standards:

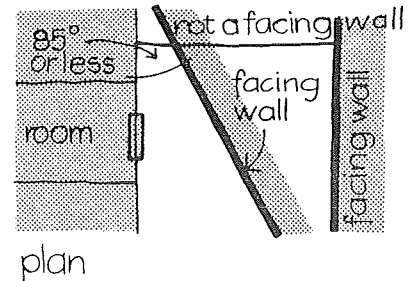
- i) Standards are to be established for particular types of windows, and for particular window locations rather than for walls. This approach is used in the Central Mortgage and Housing Corporation standards, but is in contrast to the present By-law requirements for R buildings, where setback distances are required for walls, whether or not they include windows. It is also in contrast to the present C standards which have the same requirements for windows at any height. This approach helps to provide more flexibility in design and layout of residential

LIGHT

- i) A volume of space extending to the sky must be provided outside a window to provide adequate light, not necessarily sunlight, for the room. This volume is called a facing volume.



- ii) Any facing wall should be located far enough away from the window to allow this facing volume. A facing wall is defined as one at an angle of less than 85 degrees to a wall. For light, it is not important whether this facing wall contains windows or is blank.

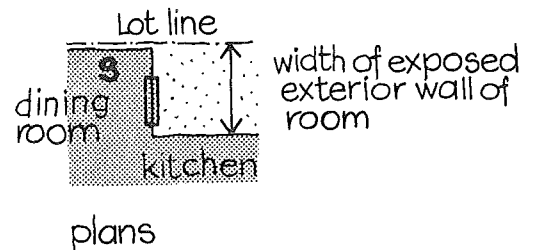
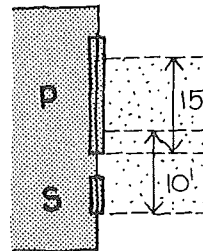
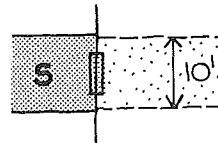
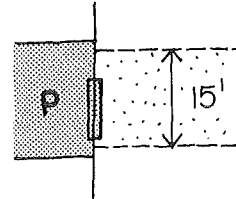


- iii) The size of the facing volume depends on the type of room. Generally, more light should be provided for the main living area of a dwelling unit. Less amounts of light are acceptable for other habitable rooms. No particular requirement need be made for windows of non-habitable rooms, such as small kitchens, bathrooms or hallways, where windows are in fact often not provided.

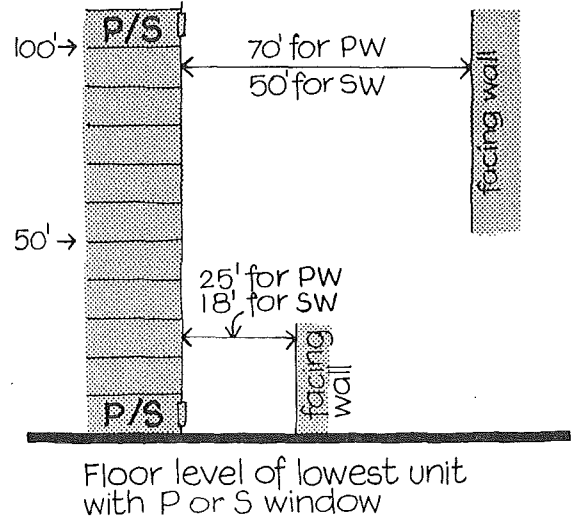
- iv) Since a primary window needs more light than a secondary window, the width of the facing volume should be greater for a primary window. Average room widths suggest 15 feet for a primary window and 10 feet for a secondary window. C.M.H.C. standards use the exposed exterior wall of a room as the width for a required volume; this may unreasonably discriminate against wide rooms.

These widths can overlap but should contain as much of the window as possible.

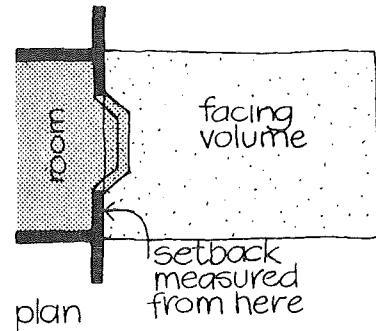
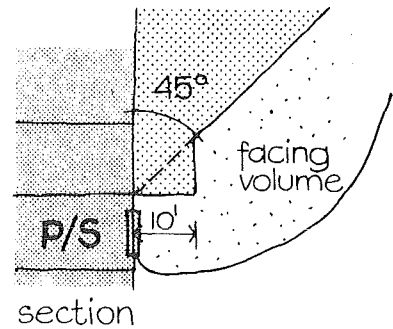
In certain situations the required 15 or 10 feet cannot be met since the exposed exterior wall of the room is less than this. One example can be found in the typical older Toronto house, as illustrated opposite. In such cases the width of the volume should be considered as the exposed exterior wall of the room. This width is then the minimum required width of the facing volume.



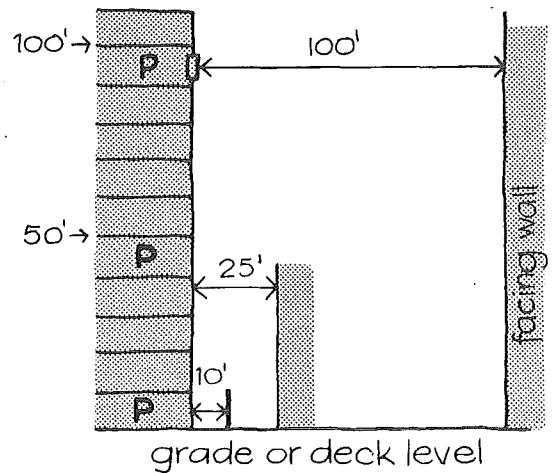
- vii) As established above, the depth of the volume to a facing wall varies with the window elevation and with the window type. About 25 feet is sufficient where a primary window faces a low wall (one under about 50 feet high) but at least 70 feet is desirable where the facing wall is high (over about 100 feet). For a secondary window, a lesser amount of light is acceptable.



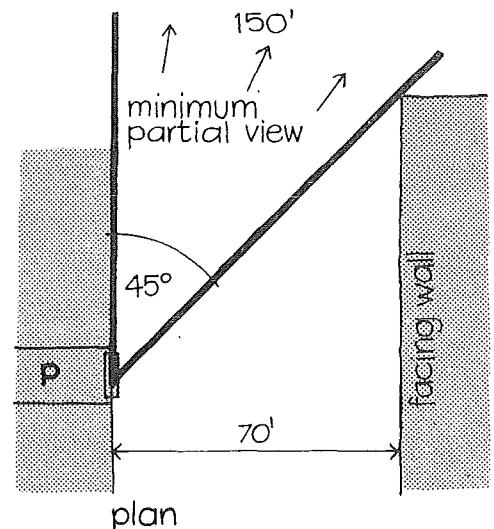
- viii) Some projections into the space in front of the window do not unduly affect the amount of light reaching the window, and thus should be permitted. Balconies or other projections such as canopies above the window, as shown opposite, are acceptable. However, standards for windows above the subject window would, of course, also have to be met. Privacy fences, railings and walls under 6 feet high, bay windows and eaves are acceptable projections.

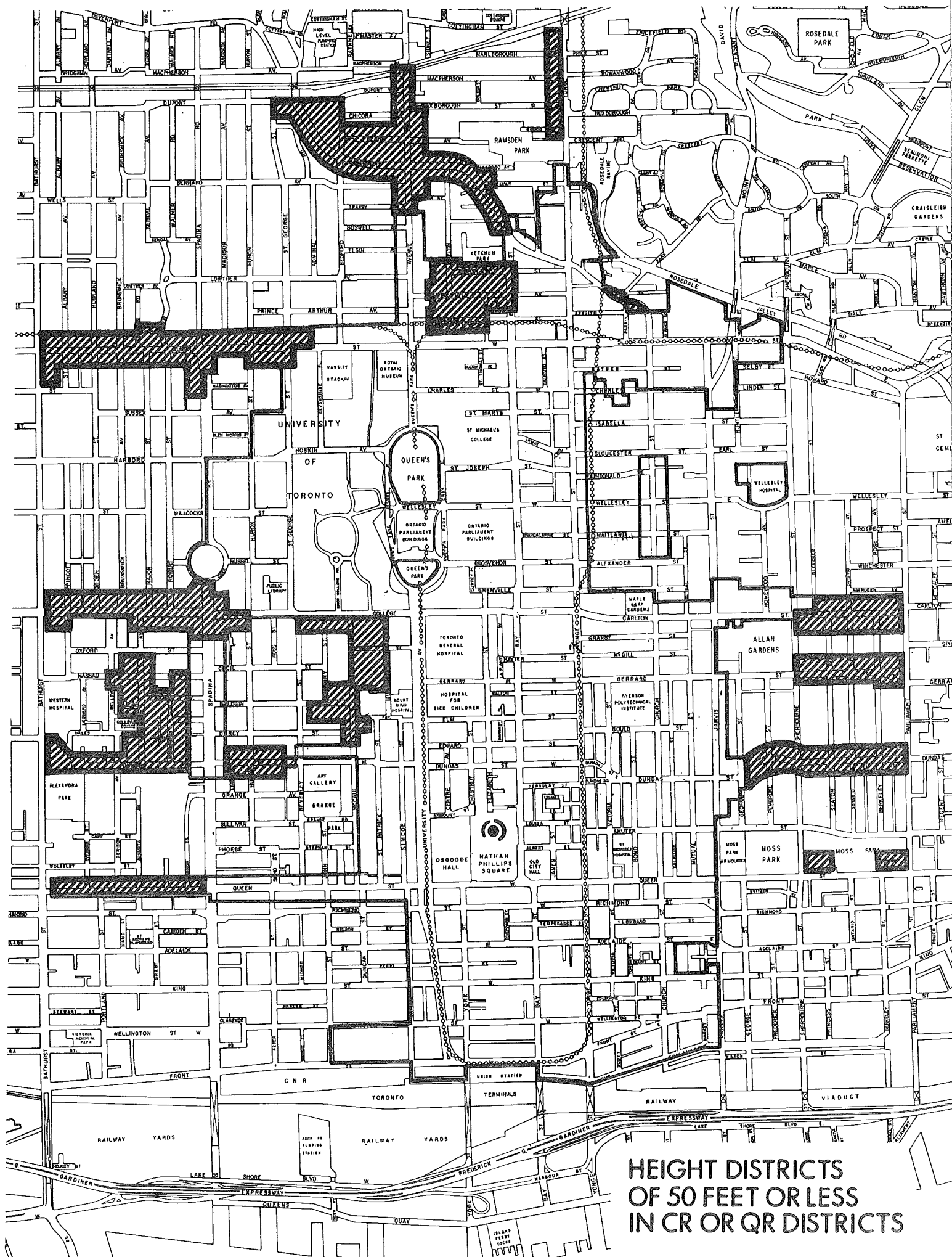


iii) In regard to view, facing walls can be fairly close for windows located close to grade. For example, a 10 foot deep courtyard would provide an acceptable view for windows at grade, and about 25 feet is acceptable for windows located within 50 feet of grade. For higher windows a greater distance to a facing wall is needed to give a longer view and a feeling of space. For walls higher than about 100 feet above grade, 100 feet appears to be a generally acceptable minimum distance needed.



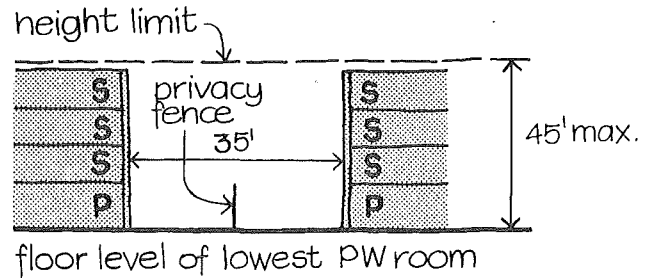
iv) A longer view need not be one that is just straight ahead. Views above a facing wall and to one side of it are also acceptable. If such views are provided, the facing wall could be closer than 100 feet- about 70 feet. The constraining factor would then be the provision of an adequate longer view for part of the angle of view outside a window. This view, called a partial view, should be provided for a minimum angle of about 90 degrees on a horizontal plane outside the window but also within a limited vertical plane. The minimum depth of the partial view should be about 150 feet.



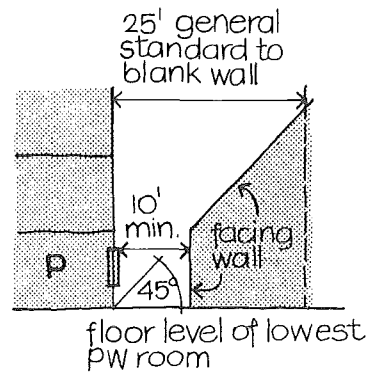


HEIGHT DISTRICTS
OF 50 FEET OR LESS
IN CR OR QR DISTRICTS

iii) As established previously, 35 feet should be provided to give a measure of privacy to a secondary window. If a privacy screen is located between two facing primary windows, the distance between the two windows could be reduced. A similar reduction should be permitted where the primary window faces a lot line, provided that adequate privacy is maintained for the window. The setback to the lot line or a blank wall would be 18 feet, which ensures adequate light in low height precincts.

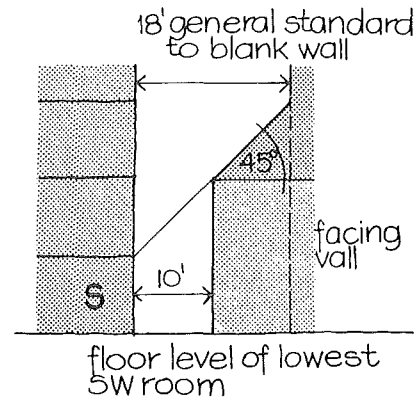


iv) In cases where a window faces a very low wall, light is not a problem, and thus the wall can be quite close to the window. About 10 feet is a reasonable minimum where the facing wall is about 10 feet high. The amount of light reaching the window is affected by both the height of the facing wall and the distance the facing wall is from the window. As the distance increases the acceptable height also increases, as shown in the diagram opposite.



For secondary windows where a lesser amount of light is acceptable, a higher wall may be closer, as shown in the diagram opposite.

The height of the facing wall should include any railings and cornices since these may interfere with light reaching the window.



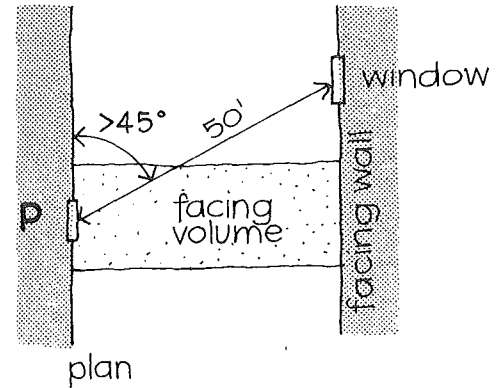
WINDOW TYPE	WINDOW ELEVATION/ LOCATION	FACING CONDITION	SETBACK NEEDED FOR LIGHT	VIEW	PRIVACY
SECON- DARY WINDOW	under 50'	S,NR	18'	not relevant	*35'
	under 50'	blank wall	*18'	not relevant	not relevant
	over 50'	S,NR	18-50'	not relevant	*35'
	over 50'	blank wall	*18-50'	not relevant	not relevant
	lowest S in top 50' of height precinct	blank wall less than 20' high	*10'	not relevant	not relevant
OTHER WINDOWS	regulated by the Building Code only, except as above.				
BLANK WALL	regulated by the Building Code only, except as above.				

Note:

P = Primary Window
S = Secondary Window
NR = Non-residential Window

incorporation into the Zoning By-law.

The proposed By-law requirements deal only with facing windows, not with windows that are above, below or to the side of such a window. It is proposed that a 50 foot distance also be required for these windows where they impose on the privacy of the subject window. Because the need for this distance varies from project to project, it is proposed that it be secured, where appropriate, through development review.



Comparison:

i) Present Zoning By-law:

For walls under 50 feet high, the standards are similar to present R standards. The difference comes in requirements for high windows, that is those with a window elevation of more than about 100 feet. The proposal introduces a maximum setback requirement and also the option of providing a "partial view". The proposed standards are much more restrictive than the C standards which give little protection for light, view or privacy. For C buildings with high facing walls containing windows, Building Code requirements would prevail.

ii) C.M.H.C. Standards:

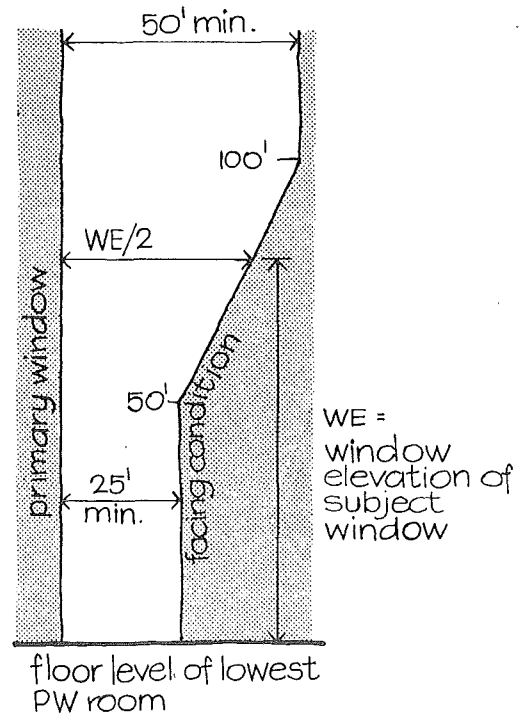
The primary window standards are similar to those of a "main living room window", but are more restrictive for high windows, requiring either greater setback or the provision of a "partial view" for windows with a window elevation of more than 70 feet. The proposed standards are also slightly more restrictive where the facing condition is a secondary window. Further, the proposed standards add requirements for a facing non-residential window.

iii) Existing Buildings:

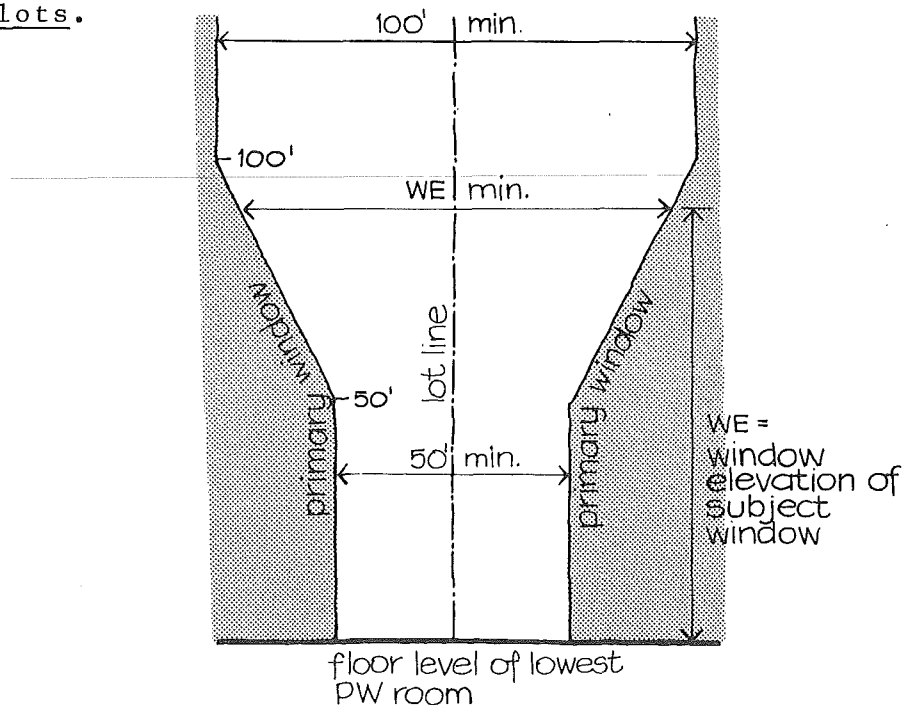
Carlton Court and the Manulife Centre meet the proposed standards.

Proposed Standard:

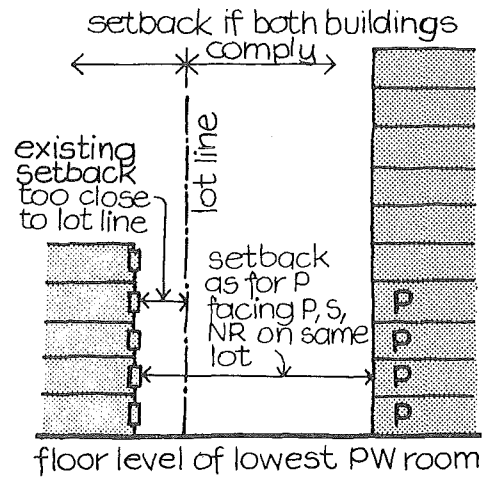
Setback, or the depth of a facing volume, to a side or rear lot line, centre line of a street or lane or an area zoned G should be half of that required to a facing primary or secondary window or non-residential window on the same lot. Partial views would be permitted across an adjacent lot only where the view can be secured. For example, a view could be secured across a park or a street. Such setback requirements meet the generally acceptable minimum dimensions set out in Table 1 for light, view and privacy for a window facing a blank wall.



The diagram opposite shows the combined setback requirements for buildings on adjacent lots.



One facing condition that should be carefully considered is that of an existing building on an adjacent lot if the windows of that building are located closer to the lot line than the proposed standards would permit. A common example is the typical older walkup apartment building, where setbacks to side lot lines are often minimal. In order that the distance between these existing windows and those of the new building is acceptable, the total distance between the two facing walls should be according to the proposed standards. Such a requirement would be best made in the form of a development review criterion. The age, height and length, as well as setback of the existing building can then be taken into account in the negotiation of an appropriate setback for the new building.



Comparison:

i) The Present Zoning By-law

The proposed requirements are less restrictive than R standards for windows with a window elevation above 50 feet, but similar to R standards below this height. C standards are much more permissive. Special requirements for blank walls or walls with windows of non-habitable rooms are made in the proposed standards in the form of development criteria and then only in cases where the wall may create problems in terms of light or view, in contrast to the present R standards, where requirements for a blank wall are the same as for a wall containing primary or secondary windows.

ii) C.M.H.C. Standards

The proposed requirements are similar to the C.M.H.C. standards except in two regards. Special development review criteria are introduced to deal with particular cases where the facing condition is a large blank wall, or wall with non-habitable room windows. Also, more stringent standards--a greater distance or the provision of a partial view--are required in the proposed standards for windows with a window elevation of more than 70 feet.

Comparison:

i) The present Zoning By-law

R buildings must be set back at least 20 feet from a street lot line and 25 feet from any other lot line, but there is no requirement that any of the setback area be used as a privacy buffer. C buildings have no setback requirements for privacy.

ii) C.M.H.C. Standards

The "privacy zone" requirement is similar to the proposed setback, but is more restrictive. However, the proposed development criteria provides an additional measure of review.

iii) Site Plan By-law Applications

A 10-foot setback is used in the Hydro Block and Alvin Avenue Projects. Lesser setbacks of about 5 feet are found in the Dundas-Sherbourne and Richmond-Stafford Projects. However, these reduced setbacks are for windows facing local streets or lanes where privacy may not be as much an issue.

Clair Avenue West is one of few examples of facing secondary windows. While the distance between the facing windows is slightly less than proposed standards, the walls do face each other for a short distance only. Flemington Park Townhouses are another example of facing secondary windows. These windows meet the proposed standards.

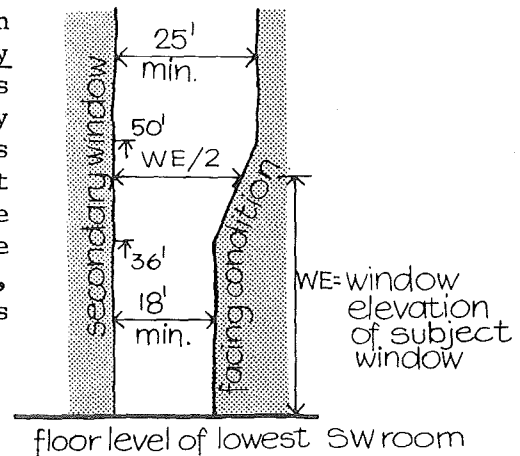
iv) Site Plan By-law Applications

Stafford Court Townhouses have facing secondary windows that generally meet the proposed standards. Direct views into facing windows are avoided by the offsetting of the windows.

A SECONDARY WINDOW FACING A BLANK WALL, WALL WITH NON-HABITABLE ROOM WINDOWS, THE CENTRE LINE OF A STREET, LANE, OR LANDS ZONED G.

Proposed Standard:

This facing condition is treated in a similar way as for a primary window. Table 1 shows that light is the controlling factor for any window elevation. While 18 feet is acceptable for low windows, 35 feet is required for high windows. Since light is not likely a problem where the facing condition is a lot line, a lesser setback of 25 feet is proposed for higher windows.



Comparison:

i) Present Zoning By-law

The proposed standards are more permissive than R building requirements and more restrictive than C building requirements. The distance required for C buildings could be as little as 10 feet.

ii) C.M.H.C. Standards

The proposed standards are similar to the C.M.H.C. standards.

iii) Existing Buildings

Secondary windows facing a side or rear lot line is a common condition in older walkup apartments. Generally the setback distances are below the proposed standards. Spaces between facing windows on adjacent lots are dark.

iv) Site Plan By-law Applications

The York Row Project locates secondary windows on the lane side of the project, with a setback of about 15 feet to the centre line of the lane, slightly less than the proposed requirement. Layout flexibility is achieved in the Dow Brewery project because lesser standards are required for secondary windows than for primary windows. The report "Built Form Analysis" showed examples of high density mixed use projects where lesser setbacks to secondary windows were used for similar purposes.

design of such balconies or similar projections should be carefully considered in the development review process.

Comparison:

i) Present Zoning By-law

There is no comparable relaxation. The minimum distance between facing walls of R buildings is 50 feet; however, windows in a C building could be closer than the proposed standards.

ii) C.M.H.C. standards

There is no comparable relaxation.

iii) Existing buildings

No specific examples are known.

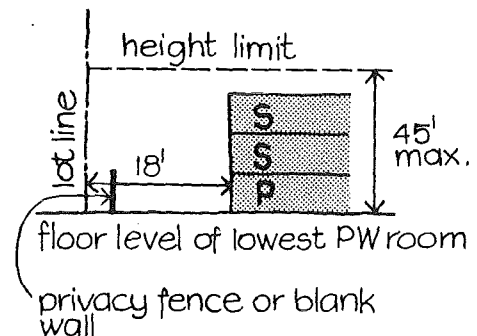
iv) Site Plan By-law Applications

Generally, where two primary windows face each other, they are located on adjacent lots rather than on the same lot. The Appogee Infill Project meets this standard.

A PRIMARY WINDOW FACING A SIDE OR REAR LOT LINE, CENTRE LINE OF A STREET OR LANE OR A BLANK WALL OR WALL WITH NON-HABITABLE ROOM WINDOWS

Proposed Standard

A reduction to 18 feet would also be permitted where privacy is obtained by screening or where the facing condition is a blank wall. Development review criteria should ensure that adequate privacy is provided for the window for the particular site and layout of the project.



Comparison:

- i) Present Zoning By-law - R buildings may be no closer than 25 feet to a side or rear lot line; however, C standards could require less than 18 feet.

Since these proposed standards are fairly tight, Development Review may be used to check the adequacy of particular proposals.

Comparison:

i) Present Zoning By-law

The proposed standard is much more permissive than requirements for R buildings (50 feet is the minimum distance between facing walls), but could be permitted for C buildings.

ii) C.M.H.C. Standards

There is no comparable reduction.

iii) Existing Buildings

Such standards are uncommon in existing Toronto buildings. Courtyards have been prohibited generally.

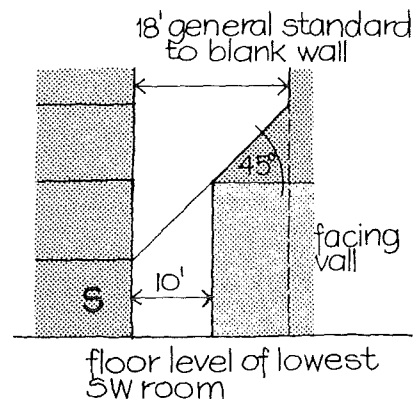
iv) Site Plan By-law Applications

The Coleman Dawes Project uses such a reduction for courtyard houses. One of the housing types in the St. Lawrence Project also uses this type of spacing of windows and walls.

4.2 A SECONDARY WINDOW FACING A LOW BLANK WALL OR WALL WITH WINDOWS OF THE SAME UNIT

Proposed Standard:

A similar type of reduction is proposed where a secondary window faces a somewhat higher wall, since light is less critical for a secondary window than for a primary window.



5. SPECIFICATIONS FOR AMENDMENTS TO THE CENTRAL AREA BY-LAW REGARDING LIGHT, VIEW AND PRIVACY STANDARDS FOR RESIDENTIAL WINDOWS IN CR AND QR DISTRICTS

The following are specifications for provisions which would replace subsection 3 of Sections 12A and 12B of the Zoning By-law as amended by the Central Area By-law:

5.1 A provision that the minimum depth of FACING VOLUME for a window shall be as follows:

(a) For a PRIMARY WINDOW

FACING CONDITION	WINDOW ELEVATION of subject window	Required Depth of FACING VOLUME
i) A PRIMARY WINDOW or SECONDARY WINDOW of another DWELLING UNIT or NON- RESIDENTIAL WINDOW on the same LOT	Less than 50 feet	50 feet
	Between 50 feet and 100 feet	A distance equal to the WINDOW ELEVATION of the subject window.
	over 100 feet	100 feet, except where a PARTIAL VIEW is provided for a distance of at least 150 feet, a maximum of 70 feet
ii) Any other window, a blank wall, side or rear lot line, centre line of a street or lane, or lands zoned G	Less than 50 feet	25 feet
	Between 50 feet and 100 feet	A distance equal to half the WINDOW ELEVATION of the subject window.
	over 100 feet	50 feet, except where a PARTIAL VIEW may be secured for a distance of at least 150 feet, a maximum of 35 feet.

NOTE: Definitions are capitalized in this section.

5.3 A provision where the lowest primary or secondary window on the same building face is located in a height precinct of 45 feet or less, or within the top 45 feet of the height limit of a higher height precinct, a facing volume of lesser depth may be provided, as set out below, provided that the conditions set out in the subsequent paragraph are met:

(a) For a PRIMARY WINDOW

FACING CONDITION	WINDOW ELEVATION of subject window	Required Depth of FACING VOLUME
i) PRIMARY WINDOW SECONDARY WINDOW, or NON-RESIDENTIAL WINDOW	less than 45 feet below the top of the height precinct	35 feet
ii) any other window, blank wall, side or rear lot line, or centre line of street or lane, or lands zoned G.	less than 45 feet below the top of the height precinct	18 feet
iii) blank wall or wall containing windows of the same DWELLING UNIT	less than 45 feet below the top of the height precinct	10 feet or a dis- tance such that the FACING wall and any railings or cornices above, is contained within an angle of 45 degrees measured from the floor level of the room contain- ing the window

provided that:

- i) the sill of the subject window is less than 7 feet above natural or finished grade;
- ii) a privacy fence is provided, which is at least 6 feet high measured from the floor level of the room containing the subject window, except in cases where the facing condition is a blank wall, at least 6 feet high, measured as above, or a wall containing windows or the same dwelling unit.

exposed exterior wall of the room, whichever is the lesser, measured as for a primary window;

ii) a height unobstructed to the sky, measured from the floor level of the room containing window;

iii) a depth, measured from the exposed exterior wall of the room, which corresponds to the setback distance required for the subject window under the relevant sections (1) and (3).

However, the following elements may intrude into the facing volume of a window:

i) fences or railings up to 6 feet high measured from the floor level of the room containing the window;

ii) bay windows, chimneys and walls projecting less than 2 feet from the window face;

iii) balconies or other horizontal projections above a window, less than 10 feet from the window face, or contained within an angle of 45 degrees from the building face measured at the ceiling of the room.

f) The term window elevation as it applies to a window means the difference in height between the finished ceiling height of the room containing the subject window and the floor level of the room containing the lowest primary or secondary window located below the subject window and within the projected width of the facing volume of the subject window.

g) The term partial view as it applies to a primary window means a view from the window that:

i) is located within a vertical angle of 45 degrees measured from a point 5 feet above the floor level of the room containing the window, such that the lowest side of the angle is horizontal;

ii) extends as a horizontal angle of at least 45 degrees, measured from the centre point of the window.

least 50% of the room containing the primary window or into the bedroom.

- 6.5 A provision to be used in conjunction with By-law specification 5.3(a): that the required fence be located and designed so that no views are possible into at least 50% of the room containing the primary windows from adjacent areas.
- 6.6 A provision to be used in conjunction with By-law specification 5.3(a): that the facing volume be unobstructed by overhangs for a depth of at least 25 feet.
- 6.7 A provision that each project be considered generally in its present and potential context with regard to light, view and privacy conditions for both windows in the project and the impact of the project on existing dwelling units or rooms.

permitting closer spacing of walls and windows when adequate views out are maintained for a window.

In general, the standards are more permissive than the present by-law requirements for R buildings and more restrictive than requirements for C buildings. Present R standards appear excessive in many cases while C standards are ineffective in assuring adequate standards. C.M.H.C. standards are similar in form and requirements to the proposal but somewhat more restrictive for low buildings and more permissive for high buildings.

A system of requirements, by nature, cannot be equally effective and suitable in all cases, and problems with the proposed standards may arise with use. A careful review should be made after the standards have been in place, and further refinements made from time to time as necessary.

appendices

A. Present Zoning By-law Requirements for R and C Buildings

1. The following standards now apply to all buildings erected in R districts and to R or residential buildings erected in C1, C1A or C1S districts Section 4, subsections (3), (4) and (5):

- (3) (a) Subject to the provisions of paragraphs (b), (c) and (d) and of subsections (4) and (6), no person shall, on any *lot* in any R district, erect or use any building or structure any part of which projects beyond any of the angular planes constructed in the manner hereinafter described in this paragraph; but in no case shall any part of a building or structure be erected closer to any *lot* line than the distance of twenty-five (25) feet.

The hereinbefore referred to angular planes shall be constructed over the *lot* from each *lot* line at natural or finished ground level, whichever is the lower, at a vertical angle of sixty (60) degrees above the horizontal and measured perpendicular to the *lot* line or, in the case of a curved *lot* line, perpendicular to the tangents of all points of the *lot* line;

- (b) Where a *lot line* of an *inside lot* coincides with a *street* line, the angular plane may be constructed from the centre line of the street instead of the *lot* line or from any intervening line parallel to the centre line of the *street* provided that (i) the distance between the line on which the plane is constructed and the *lot* line does not exceed thirty-three (33) feet, (ii) the vertical angle of sixty (60) degrees is constructed perpendicular to the line on which the plane is constructed or, in the case of a curved line, perpendicular to the tangents of all points of the curved line and (iii) in no case shall any part of the building or structure be erected closer to the *lot* line than the distance of twenty (20) feet;
- (c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection but subject to the provisions of paragraph (d), any part of a building or structure may project beyond any prescribed sixty (60) degree angular plane if, in each case, (i) the projection through the plane subtends a horizontal angle not exceeding eighty (80) degrees formed by lines drawn from a point on the line on which the sixty (60) degree angular plane is constructed opposite to the centre of the projection, (ii) the extremities of the projection are enclosed by the arms of such eighty (80) degree horizontal angle; and (iii) no part of the building or structure is erected closer to any *lot* line than the distance of twenty-five (25) feet (twenty (20) feet where the *lot* line of an *inside lot* coincides with a *street* line);

- (e) in the case of a *lot* having a lesser *front lot line* than 90 feet,
- (i) subject to clause (iv), any part of a building (other than a *duplex dwelling house*, a *double duplex dwelling house*, a *triplex dwelling house*, a *double triplex dwelling house* or an *apartment house*), in an R.2, R.3, R.4 or R.4A district may be erected not less than 3 feet from the *side lot lines* (except where the *side lot line* is the *flank* of a *corner lot*) for a length not exceeding 45 feet back from the *minimum front lot line setback* (except a *one-family dwelling house* comprising a portion of *row housing*), and for the length in the case of a *one-family dwelling house* comprising a portion of *row housing* not exceeding 40 feet within a distance of 50 feet of the *minimum front lot line setback*, provided no part of the building that projects beyond the 60 degree angular plane exceeds 30 feet in height;
 - (ii) notwithstanding paragraph (d) and clauses (i) and (vi) hereof and subject to clauses (iii) and (iv) hereof, any part of a building in an R.2, R.3, R.4 or R.4A district may be erected with one or both of its sidewalls located not less than 1 foot 6 inches from the nearest *side lot line* (except where the *side lot line* is the *flank* of a *corner lot*) for a length not exceeding 45 feet back from the *minimum front lot line setback* (except a *one-family dwelling house* comprising a portion of *row housing*) and for a length in the case of a *one-family dwelling house* comprising a portion of *row housing* not exceeding 40 feet within a distance of 50 feet of the *minimum front lot line setback*, provided no such wall contains any door, window or other opening and no part of the building that projects beyond the prescribed 60 degree angular plane exceeds 30 feet in height;
 - (iii) where the sidewalls or portions thereof of adjacent buildings in an R.2, R.3, R.4 or R.4A district contain no door, window or other opening, the distance between such sidewalls or portions thereof shall not be less than 3 feet;
 - (iv) where part of a sidewall of a building containing a door, window or other opening extends in a straight line to intersect with either the main front wall or the main rear wall of such building, no part of any other building shall be located closer to such part than 4 feet and in no case shall any part of any other building be located closer than 4 feet to any part of a sidewall containing a door, window or other opening;
 - (v) in an R.1A or R.1F district, any part of a *duplex dwelling house* or *double duplex dwelling house*, and in an R.1A district any part of an *apartment house*, may be erected not less than 10 feet from both of the *side lot lines* (except where the *side lot line* is the *flank* of a *corner lot*) for a length not exceeding 45 feet back from the *minimum front lot line setback*, provided that no part of a building that projects beyond the prescribed 60 degree angular plane exceeds 30 feet in height;
 - (vi) any part of a *duplex dwelling house*, a *double duplex dwelling house*, a *triplex dwelling house*, a *double triplex dwelling house* or an *apartment house* in an R.2, R.3, R.4 or R.4A district may be erected not less than 4 feet from the *side lot lines* (except where the *side lot line* is the *flank* of a *corner lot*) for a length not exceeding 45 feet back from the *minimum front lot line setback*, provided no part of the building that projects beyond the 60 degree angular plane exceeds 30 feet in height;
 - (vii) any part of any building to which clauses (i), (ii), (v) and (vi) apply exceeding the lengths specified therein shall comply with the setbacks requirements of paragraph (a) of Subsection (3); (215-73)
- (f) in the case of a *lot* in any Zone 4 or 5 area and having a lesser *front lot line* than ninety (90) feet, any building may be erected with no part thereof closer to the nearest *side lot line* (except where the *lot line* is the *flank* of a *corner lot*) than the distance of fifteen (15) feet for a length not exceeding forty-five (45) feet back from the *minimum front lot line set-back* provided that no part of the building that projects beyond the prescribed sixty (60) degree angular plane exceeds sixty (60) feet in height; (90-72)
- (ff) in the case of a *lot* having a lesser *front lot line* than 25 feet, a *private detached dwelling house* or *one-family dwelling house* proposed to be erected to replace an existing building located on such *lot* may, subject to clauses (ii) and (iii) of paragraph (e), be erected with its sidewalls located in the same position relative to the *side lot lines* as the said existing building; (215-73)

2. The following standards apply to all buildings erected in R districts and to R or residential buildings erected in C1 districts:

Section 4, subsection (12), paragraphs (b) and (bb):

- (b) Subject to the provisions of paragraph (bb), no person shall on any *lot* in any zone 1, zone 2, zone 3, zone 4 or zone 5 area, as the case may be, erect any R. building or R. structure or any residential building or structure having a greater *gross floor area* or so that the *lot* has lesser *landscaped open space* than as follows: (22832) (21054)

Zones	Maximum <i>gross floor area</i>	Minimum <i>landscaped open space</i>
zone 1 areas	0.35 times the area of the <i>lot</i>	30% of the area of the <i>lot</i>
zone 2 areas	0.6 times the area of the <i>lot</i>	30% of the area of the <i>lot</i>
zone 3 areas	1.0 times the area of the <i>lot</i>	30% of the area of the <i>lot</i>
zone 4 areas	2.0 times the area of the <i>lot</i>	35% of the area of the <i>lot</i>
zone 5 areas	2.5 times the area of the <i>lot</i>	35% of the area of the <i>lot</i>

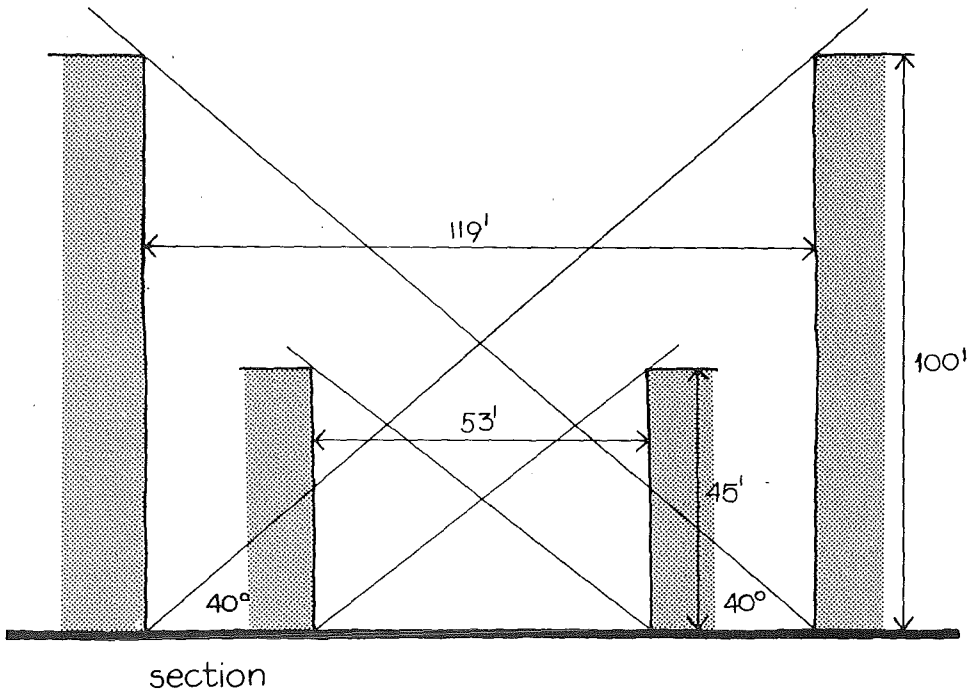
- (bb) Notwithstanding the provisions of paragraph (b), no person shall on any *lot* in any Zone 1, Zone 2, Zone 3, Zone 4 or Zone 5 area, as the case may be, erect any *apartment house* so that the *lot* has lesser *landscaped open space* than 50 per cent. of the area of the *lot*. (22832)

Section 4, subsection (12) paragraph (c), subparagraph (iii):

- (iii) "*landscaped open space*" means open, unobstructed space on a *lot* which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping, including the part of a *lot* unoccupied by any building or structure by reason of the operation of Subsections (3), (4) or (5) of this section, and notwithstanding the foregoing includes (i) any surfaced walk, patio or similar area, (ii) any tennis or badminton court or other similar sports or recreational area and (iii) any swimming or decorative pool, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area or any open space beneath or within any building or structure. (22460)

Note: By-law No. 35-76 rennumbers paragraph (12)(c) as paragraph (12)(i).

(a) Facing PorS windows on the same lot



(b) Alternative to (c) and (d)

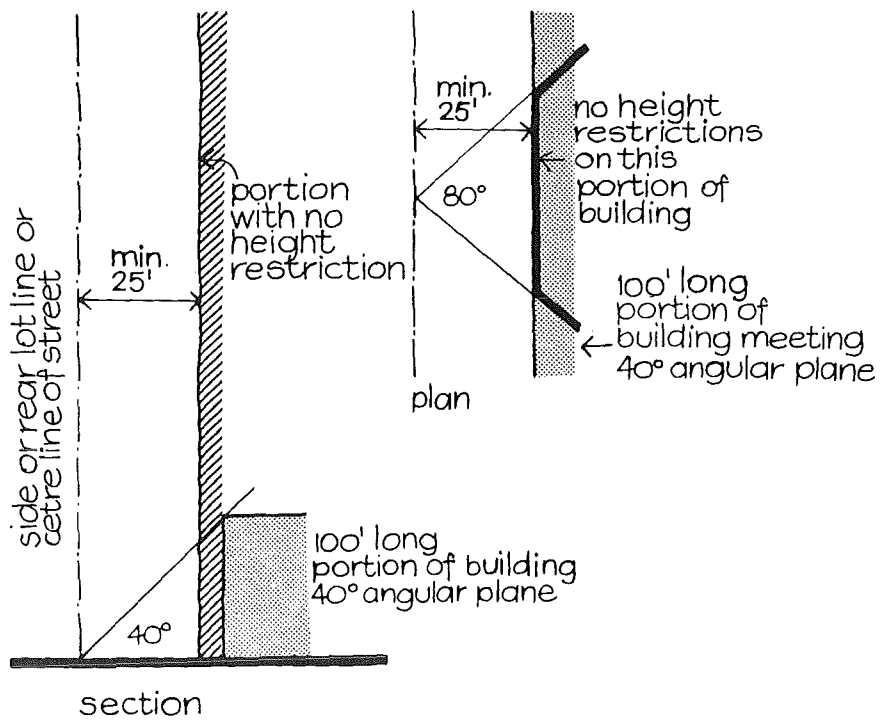
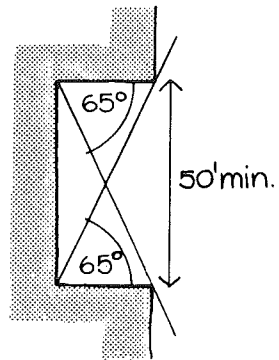
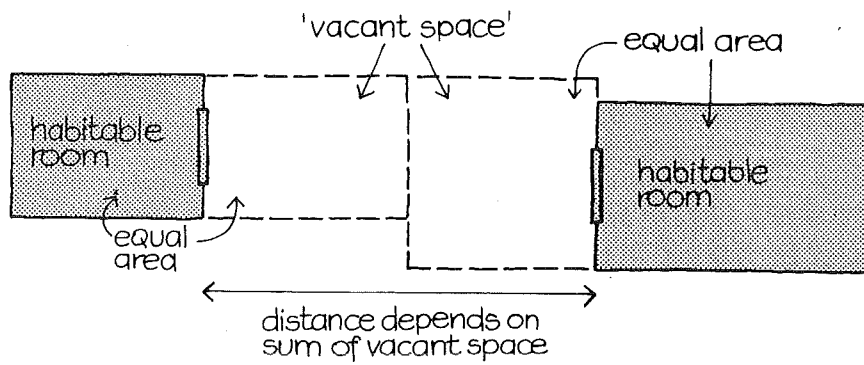


ILLUSTRATION OF PRESENT ZONING BY-LAW REQUIREMENTS.

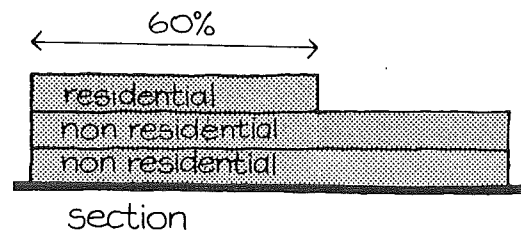
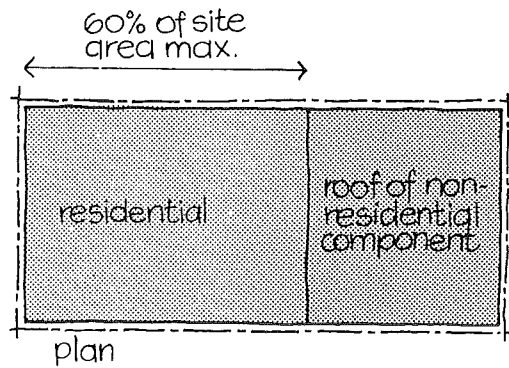
(e) Restriction of facing walls



(f) Vacant Space requirement for a C building



(g) Lot coverage requirement for a C building



- B. Requirements For Residential Buildings in "Site Planning-Criteria for Financing under The National Housing Act", Central Mortgage and Housing Corporation.

SEPARATION SPACE

Intent

Space around residential buildings separating them from adjacent activities is required in order to ensure an appropriate environmental context for activities undertaken within the dwelling unit.

Discussion

In establishing the need for separation space, the following characteristics should be taken into account.

DAYLIGHT/SUNLIGHT - Open space should be provided around the dwelling to ensure the provision of both daylight and direct sunlight to habitable areas of each dwelling unit throughout the year. New housing should be located so as not to deprive existing dwellings and private outdoor spaces in the surrounding areas of adequate sunlight and daylight.

VENTILATION - The space around the unit should be sufficient to permit natural ventilation of the dwelling (except for those rooms which are mechanically ventilated such as bathroom and kitchen(s)).

QUIET - Physical separation and/or screening should be provided between the dwelling unit and adjacent users and activities to permit the occupants to enjoy rest and privacy within the dwelling without interference from external noise. (For information concerning special noise sources, see requirements in Housing Adjacent to Road, Railway Lines and Other Non Residential Land Uses', Part II Site Development.)

VISUAL PRIVACY - Windows and entrances of a dwelling unit should be separated and/or screened from adjacent buildings and activities so as to permit residents to make full use of their interior living spaces. It should not be necessary for residents to keep their drapes or blinds drawn in order to obtain adequate visual privacy. Visual privacy within a dwelling unit is affected by the frequency, duration, and proximity of potential intrusions outside the unit. These will determine the type of separation or screening required.

VIEW - an open view should be provided from at least one principal living area of a dwelling unit.

SEPARATION SPACE (CONT'D)

Principal Living Room Window In front of a principal living room window a separation space shall be provided with a minimum depth of 25 ft. (8 m) or half of the height of the wall, whichever is greater to a maximum of 35 ft. (10 m).

Where a principal living room window faces directly onto a large open area such as a local residential street, communal walkway or landscaped communal open space intended for passive use, these activity areas may be located within the minimum separation space where a privacy zone of at least 15 ft. (4.5 m) measured from the window to the nearest edge of the specified activity area, is provided. In the case of local residential streets the privacy zone shall be measured from the window to the edge of the sidewalk or to the space reserved for a future sidewalk.

Where a principal living room window has its sill at least 7 ft. (2 m) above the level of the exterior grade area, over a distance of at least 15 ft. (4.5 m) out from the window, no minimum privacy zone is required for activity areas located within the separation space, provided that:

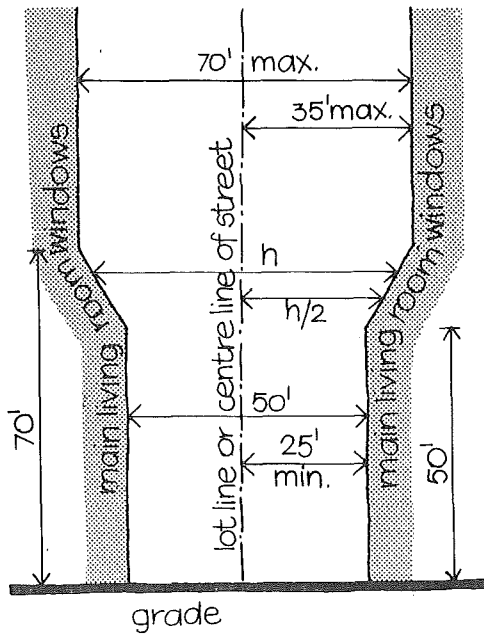
- maintenance and/or access along the living room window wall is provided by legal agreement or registered easement, and
- the fire separation requirements of the Residential Standards have been met.

Habitable Room Window In front of any required habitable room window, other than the principal living room window, a separation space shall be provided with a minimum depth of 17 ft. 6 in. (5 m) or half the height of the wall, whichever is greater, to a maximum of 25 ft. (8 m).

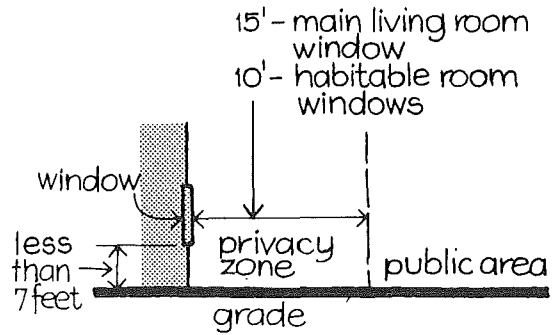
For buildings of 2 stories or less, where a habitable room window directly faces a blank wall of an adjacent building, the minimum separation requirement may be reduced to 10 ft. (3 m).

Where a habitable room window faces onto a large open area such as a local residential street, communal walkway or landscaped communal open space intended for passive use, these activity areas may be located within the minimum separation space where a privacy zone of at least 10 ft. (3 m) is provided, measured from the window to the nearest edge of the specified activity area. With regard to local residential streets the privacy zone shall be measured from the window to the edge of the sidewalk or to the space reserved for a future sidewalk.

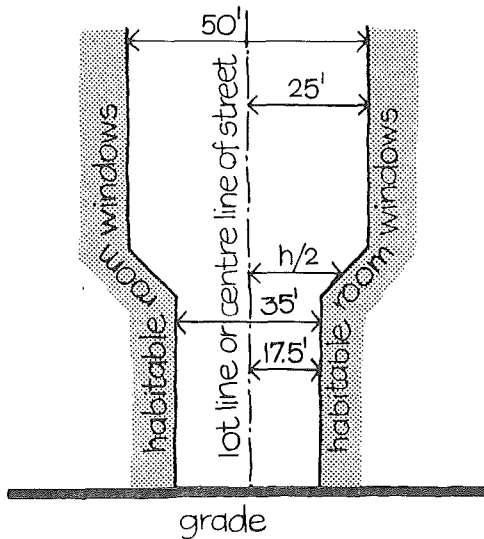
(a) Facing P windows on same lot or across lot lines



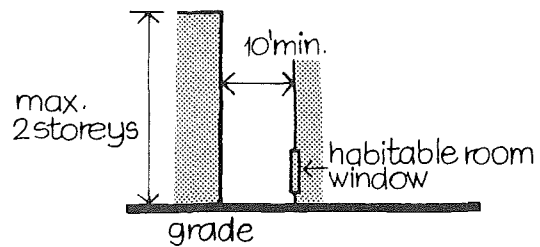
(c) Privacy Zone requirement



(b) Facing S windows on same lot or across lot line



(d) Special reduction for habitable room windows



C. Comparison of Some Toronto Buildings and the Proposed Standards

NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, ℄ OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, ℄ OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
23 and 32 above podium	140'	-	140'	-	-	complies
18 and 23	110'	77' to centre line street, 60' to centre line lane, 90' to blank wall	as P	as P	-	complies
18	140'	-	140'	-	-	complies
9	-	50' to rear lot line, 49' to centre line street	50'	10'	15'	complies except side yard setback of S windows
9	-	8' to 15' to side of rear lot line, 40' to street line	-	as P	40'	side lot line too close

	NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
	11 above commer- cial	-	40' to street line, 100' to rear lot line	-	as P	-	complies
	53 above commer- cial	150'	-	150'	-	-	complies
		-	110' (to facing office building)	-	as P	-	complies
	3½	-	38' to rear lot line, 20' to street lot line, 5' to side lot line	-	as P	20' to street	setback to side lot line too close for secondary windows
	3½	-	25' to rear lot line, 20' to street lot line, 5' to side lot line	-	as P	20' to street	setback to side lot line too close for primary and secondary windows

	NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, ☐ OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, ☐ OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
	6	50'	-	As P	-	15'	too tight at upper floors
	3	100' varies	-	35'	-	varies	complies
	3	55' across street	22.5' to centre line street	As P	As P S windows may be close to side lot line	-	complies except where S windows face side lot lines
	2	28' across street	14' to centre line street	As P	As P	-	too tight

D. Comparison of Recent Applications for Site Plan
By-law Review and the Proposed Standards

NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
8 and 8 above podium	106', 94'	31'	as P	as P	8'	complies except privacy zone is too short
5 and 9	110'	-	as P	-	8'	"
3 above podium	varies	-	as P	-	10'	complies
5	-	70' to side lot line, 33' to centre line street	as P	as P	-	complies
16 3½	90' minimum	-	as P	-	10'	complies

	NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
	7 to 15 varies	80'	-	as P	can be very close	-	generally complies note: final drawings not available
	7 to 18 varies	40'	-	as P	-	-	too close but applies only for limited distance, and used with angled views
	7 maximum varies	19' minimum	20' approx.	as P	as P	5'	- setback from lane too close - privacy zone too short - setback from existing houses too short in some places
	7 maximum varies	-	45' minimum	as P	as P	-	complies

	NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
	6 and 7	130' minimum	-	as P	35' to centre line of lane	-	complies
	2 above commercial	above existing buildings	above existing buildings	as P	15' to centre line of lane	-	too close to centre line of lane
	14 to 16	70'	30' to rear lot line	as P	as P	16' - 30'	complies, except for setback of top floors of apartment building
	4	60'	-	-	-	30'	complies

NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
3 and 3½	130'	-	as P	-	10'	complies
3	44'	-	as P	-	22'	complies
4	-	varies 16' to 25' to rear lot line	as P	as P	10'	complies except setback to rear lot line is in some places too close
3	-	4' minimum to front lot line	28' to 36'	-	sill of P higher than 7' above grade	complies except some facing S windows are too close, but windows are offset for privacy

	NUMBER OF STOREYS	P→P/S/NR	P→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	S→S/NR	S→ BLANK WALL, SIDE OR REAR LOT LINE, C OF STREET	PRIVACY ZONE	COMPARISON WITH PROPOSED STANDARDS
	2	-	15' to low blank wall	40'	-	-	complies
	varies 3+	45'	22.5'	45'	22.5'	-	slightly less note: typical situation
	1 and 2	20'	10'	-	10'	-	complies note: special situation
	1 above commer- cial	37' with fence	15' to street line	-	20'	18'	complies

E. Development Review Powers under Section 35a of The Planning Act

DEVELOPMENT REVIEW POWERS UNDER SECTION 35A OF THE PLANNING ACT

Excerpt from "Guidelines for Site Development Control (Site Plan Control), the Planning Act: Section 35A", published by the Ministry of Housing.

BACKGROUND

During recent years municipalities have been enacting site plan by-laws and entering into agreements with developers as a means of obtaining greater control over specific developments by requesting the provision of additional facilities which could not normally be obtained through the provisions contained in the general municipal zoning by-law.

Site plan by-laws and agreements were normally associated with applications to rezone a specific site to permit a particular form of development to occur. A prospective developer would approach a municipal council with a development proposal at which point the municipality would permit the development to occur by agreeing to rezone the land subject to the applicant providing a site plan showing the siting and location of the buildings on the land, and in some instances including specific restrictions, conditions or regulations applicable to the development, such as the provision of access ways, landscaping areas and highway dedications.

In some instances, the site plan and specific regulations were made part of the special by-law rezoning the land, but an alternative requirement often pursued was to require the developer to enter into an agreement with the municipality stating that he would not apply for a building permit until the detailed plans and the provision of other facilities had been approved by the municipality.

Although the use of site plan control and associated development agreements had become increasingly common practice on the part of municipalities, the Ontario Law Reform Commission, in its Report on Development Control, published in 1971, was of the opinion that the legislative basis of many clauses in such by-laws, and the authority for a municipality to enter into such agreements was highly questionable.

On this basis, the Government of Ontario decided to amend the Planning Act to regulate those practices. The necessary provisions were made in Bill 264, an Act to Amend the Planning Act, by the inclusion of a new section, 35a. These new provisions came into force on December 17, 1973.

- lands.
10. Vaults, central storage and collection areas and other facilities and enclosures as may be required for the storage of garbage and other waste material.
11. Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the by-law.
12. Perspective drawings and plans showing building elevations and cross sections of industrial and commercial buildings containing twenty-five or more dwelling units.
- Provision (3) Nothing in paragraph 12 of subsection 2 shall be deemed to confer on the council of the municipality power to limit the height or density of buildings to be erected on the land.
- (4) A by-law that includes provisions authorized by subsection 2 may,
 (a) provide that facilities and matters required by the by-law shall be provided and maintained by the owner of the land at his sole risk and expense and to the satisfaction of the municipality and that in default thereof the provisions of section 469 of the Municipal Act shall apply;
 (b) require that the owner of the land enter into one or more agreements with the municipality dealing with the facilities and matters referred to in subsection 2; and
 (c) prohibit the issuance of building permits until the plans referred to in paragraphs 11 and 12 of subsection 2 have been approved by the municipality and until the agreements referred to in clause b have been entered into.
- RSO 1970
 C. 281
- Registration of agreements (5) Any agreement entered into, as referred to in clause b of subsection 4, may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
- RSO 1970
 cc. 409, 231
- (6) Where the municipality fails to approve the plans referred to in paragraphs 11 and 12 of subsection 2 within 30 days

- F. Technical Planning Committee Reports on the Report,
"New Residential Standards for CR and QR Districts",
of March 1, 1976.

DEVELOPMENT DEPARTMENT

City Hall

April 7, 1976.

TO: Technical Planning Committee

SUBJECT: Report dated March 1, 1976, by the Commissioner of Planning on New Residential Standards for CR and QR Districts, regarding Light, Air, View and Privacy.

ORIGIN: Committee on Buildings and Development, March 15, 1976, Technical Planning Committee, March 25, 1976.

REPORT:

The report dated March 1, 1976, by the Commissioner of Planning contains proposals for new standards regulating the disposition of windows in dwelling accommodation in CR and QR districts for incorporation into the Zoning By-law.

I am in complete agreement with the principles of the proposed system as discussed in the report, particularly in that allowance has been made "for the most possible condition that could develop on an adjacent lot, namely the construction of a blank wall at the lot line" and, "accordingly, setbacks to rear and side lot lines are treated in the same way as setbacks to blank walls".

Such allowance, in my opinion, is more than a step in the right direction as it will remove the problems experienced in the past pertaining to the "blocking" of windows located on flank walls of residential buildings and apartments which are erected too close to a common lot line by developments on adjacent site.

However, in my examination of the proposed standards in detail, I feel that there may be difficulties with the application of some of the standards in practical terms under certain site conditions. I also find certain clarifications would be required to be incorporated in these standards. In this regard, I shall attempt to put forward the following comments for the attention of the Commissioner of Planning.

Re: New Residential Standards for CR and QR Districts,
regarding Light, Air, View and Privacy

- (b) In the vertical plane, the requirement that the "facing" area extends 15 feet below the "eye-line" precludes the siting of a primary window at the lowest dwelling floor which may be at grade or at the first setback level (assuming there being no setback being required for the floor immediately below by reason of its intended use).

The requirement that the "facing" area extends 15 feet above the "eye-line" leaves loop-holes for large overhangs to be constructed above the 15 foot limitation where no windows are located to serve this overhanging portion of the building.

In view of the above discussions, it is suggested that the extent of the "facing" area in the vertical plane as proposed be eliminated altogether and a provision requiring this "facing" area to be clear and free from obstructions, from a reasonable height (say 3'-6") above the floor of the room for which the primary window is provided, would be more appropriate.

- (3) The proposed standards governing secondary windows are, understandably, generally more permissive. However, as Section 3.3 of the report only gives the minimum facing distances for the various conditions but does not relate to a "facing" area, it is suggested that the matter should be clarified by including a minimum width for the "facing" area although this minimum width could be a whole lot less than that required for the "facing" area for a primary window.
- (4) In Section 3.4 of the report, it is proposed that certain incidental building elements will be allowed to project into the "facing" area. While I would accept that most of the elements listed therein could be excluded in determining whether a building complies with the setback requirements proposed in the report, I would suggest that the exclusion of balconies may not be appropriate. In this connection, it is pointed out that as most balconies are designed to occupy the same area on plan on successive floors in a multistoreyed building, they do collectively contribute a significant amount of obstruction to light and air available to primary (and secondary) windows where they protrude into the facing volume. I am aware that balconies are oftentimes not included in floor area calculation. However, I do consider that balconies, due to their repetitive pattern in most cases, should not be considered in the same light as for canopies, eaves or cornices and, therefore, suggest that perhaps more refined provisions regulating balconies should be devised.
- (5) When the subject report was placed before the Committee on Buildings and Development at its special meeting held on March 29, 1976, the Toronto Architects Planning Evaluation Committee

- G. Submission of the TAPEC Committee of the Ontario Association of Architects on the report "New Residential Standards for CR and QR Districts", of March 1, 1976.

LIGHT, AIR, VIEW and PRIVACY

The Principles of the New System of Residential Setbacks

1. The purpose of our brief is to suggest modifications to proposals, expansion of its scope and clarification of its intent.
2. Any dimensional standards that are evolved should relate to the exterior glass line of the window and not the wall, so as not to penalize any especially deep wall sections or special structural systems.
3. It would be helpful to clarify that it is not intended that all windows be operable to admit air. There arises the problem of fully air conditioned buildings with fixed glass that have alternate exterior air intakes other than through the windows. Although they would meet the intent of this proposal, they would be at variance with it as presently stated.
4. The provision of a dining room has not been a requirement of C.M.H.C. or the City by-laws, so the requirement that it have the highest order of window could act as a deterrent to the provision of the room in the first place. We would suggest that if the dining room is a separate room, then it could be served by the secondary window requirements.
5. The requirement that the upper portions of buildings containing housing should be set back further from each other than the lower portions could have the same result on the design of buildings as the old angular plane laws that this proposal is trying to eliminate. This requirement should be optional if standards are met and should not be encouraged generally for aesthetic reasons.
6. The illustrations that accompany the proposal do not indicate balconies or their relationship to the windows on the lot line. We would suggest that balconies be permitted within the set back requirement.
7. We would suggest that special criteria for the relationship of parking and on site driveways be considered. To this end C.M.H.C. has standards that might be adopted.
8. Although living accommodation below the exterior grade level is not common, some new developments have incorporated such units, and standards for these windows must be carefully considered.

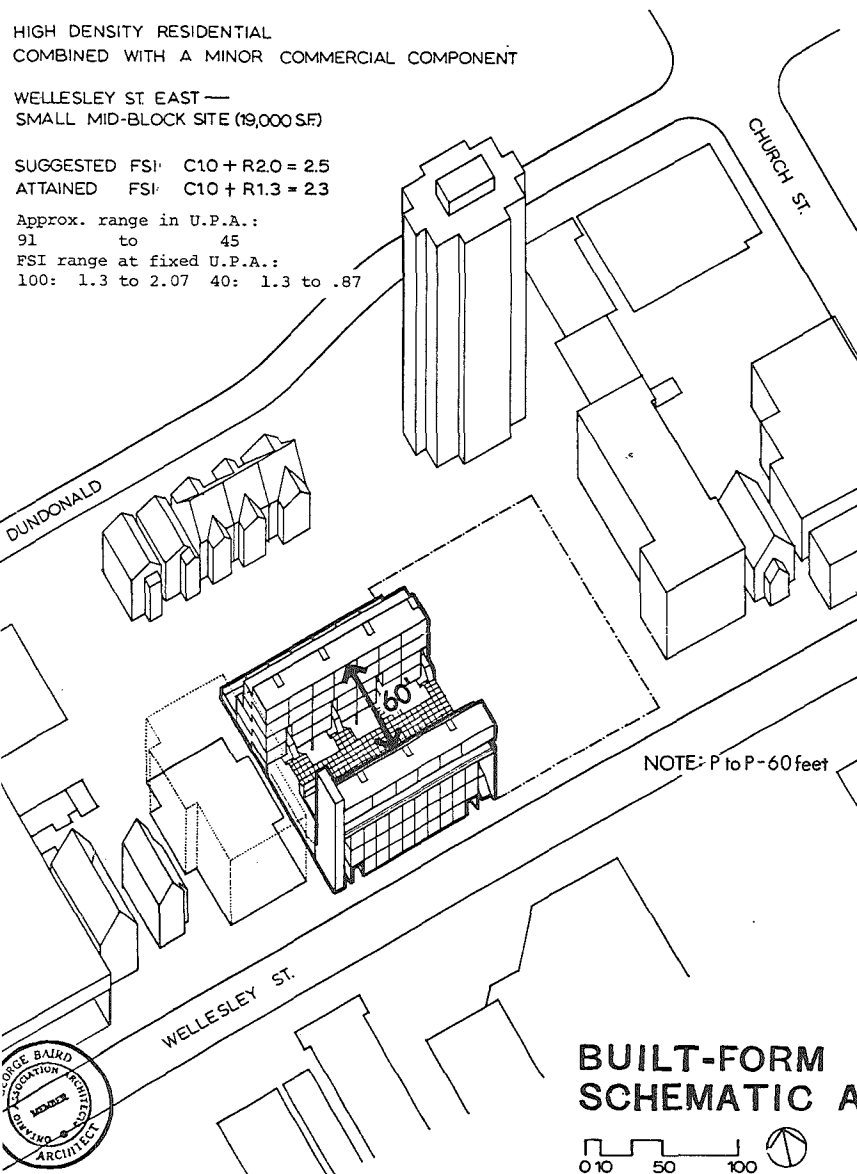
H. Examples of possible mixed use buildings in the Central Area from the report "Built Form Analysis"

HIGH DENSITY RESIDENTIAL
COMBINED WITH A MINOR COMMERCIAL COMPONENT

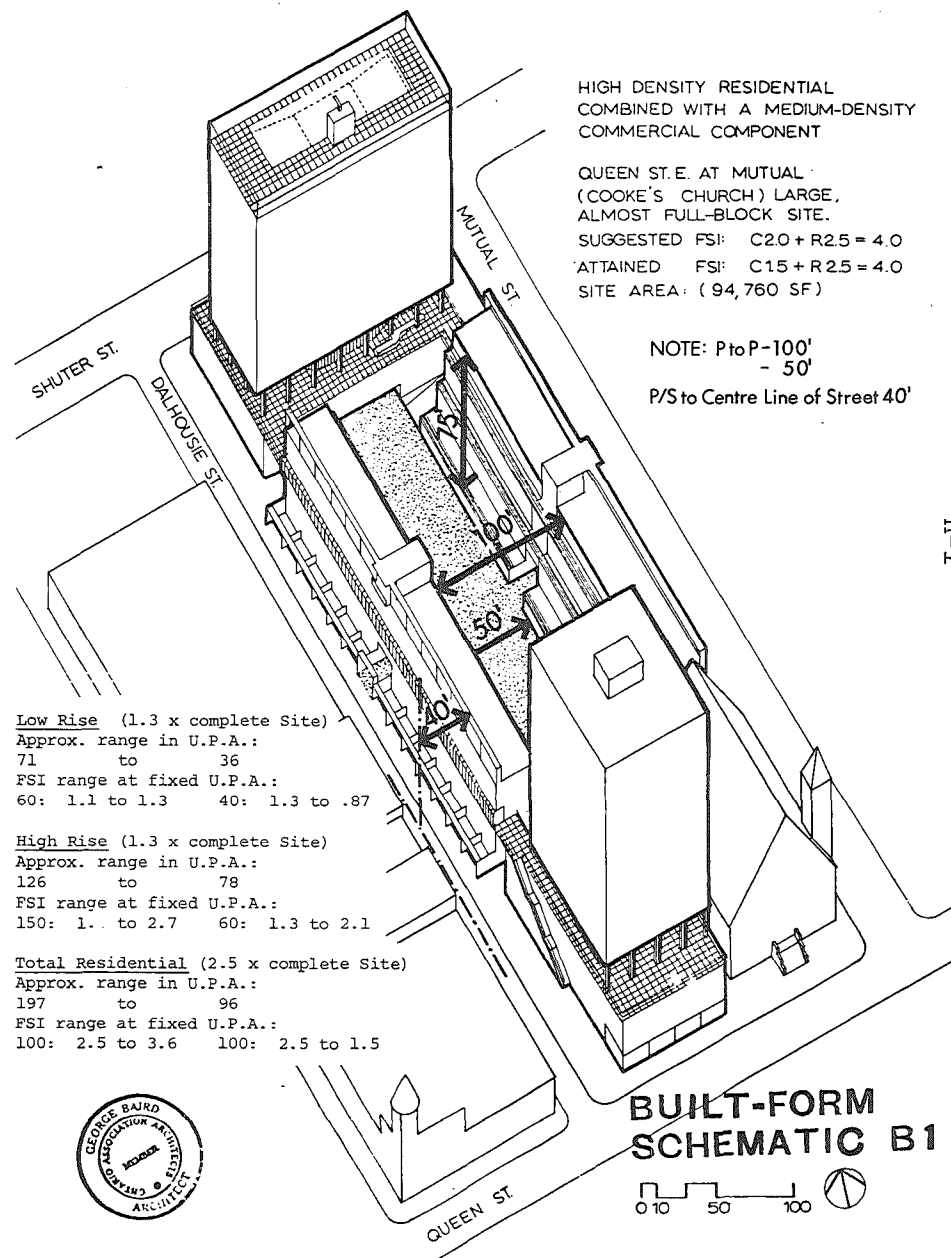
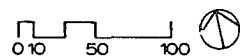
WELLESLEY ST EAST —
SMALL MID-BLOCK SITE (19,000 SF)

SUGGESTED FSI: $C10 + R2.0 = 2.5$
ATTAINED FSI: $C10 + R1.3 = 2.3$

Approx. range in U.P.A.:
91 to 45
FSI range at fixed U.P.A.:
100: 1.3 to 2.07 40: 1.3 to .87



**BUILT-FORM
SCHEMATIC A1**



HIGH DENSITY RESIDENTIAL
COMBINED WITH A MEDIUM-DENSITY
COMMERCIAL COMPONENT

QUEEN ST. E. AT MUTUAL
(COOKE'S CHURCH) LARGE,
ALMOST FULL-BLOCK SITE.
SUGGESTED FSI: $C2.0 + R2.5 = 4.0$
ATTAINED FSI: $C1.5 + R2.5 = 4.0$
SITE AREA: (94,760 SF)

NOTE: P to P-100'
- 50'
P/S to Centre Line of Street 40'

Low Rise (1.3 x complete Site)
Approx. range in U.P.A.:
71 to 36
FSI range at fixed U.P.A.:
60: 1.1 to 1.3 40: 1.3 to .87

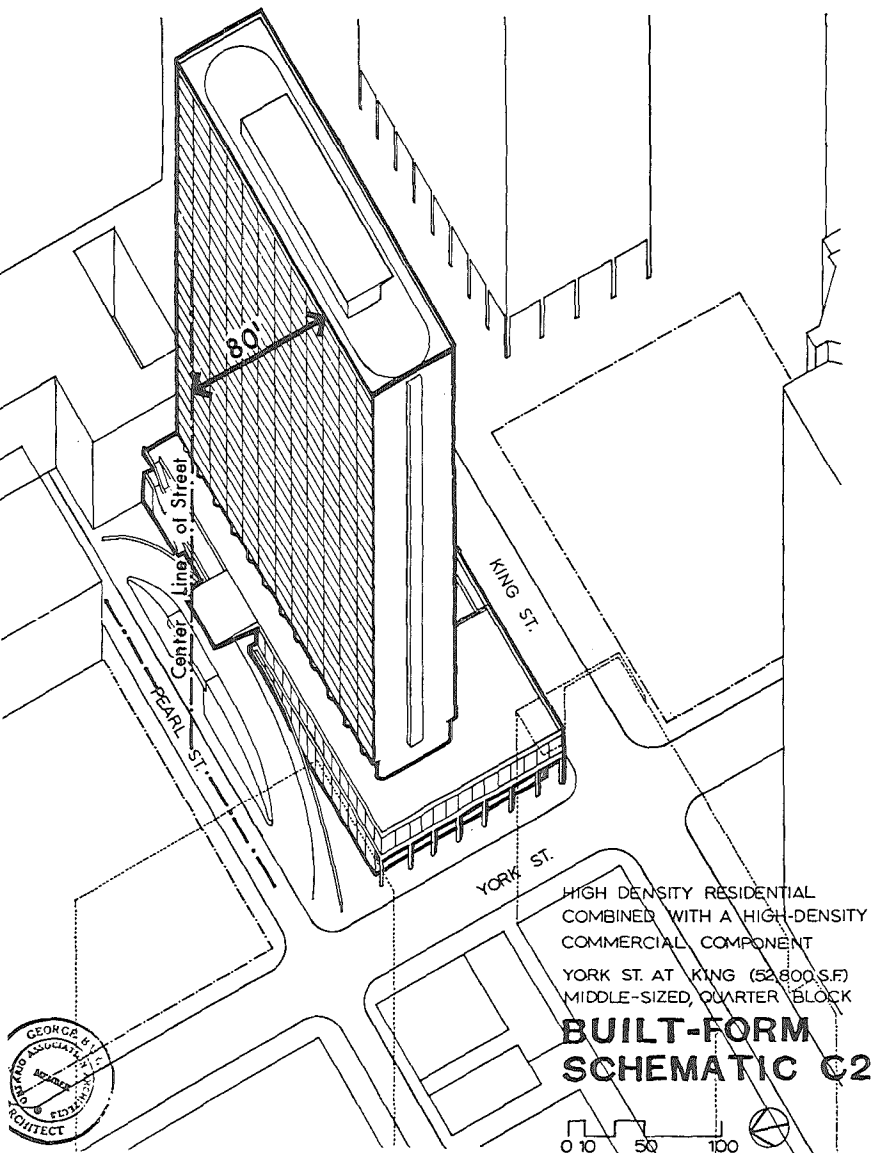
High Rise (1.3 x complete Site)
Approx. range in U.P.A.:
126 to 78
FSI range at fixed U.P.A.:
150: 1. to 2.7 60: 1.3 to 2.1

Total Residential (2.5 x complete Site)
Approx. range in U.P.A.:
197 to 96
FSI range at fixed U.P.A.:
100: 2.5 to 3.6 100: 2.5 to 1.5



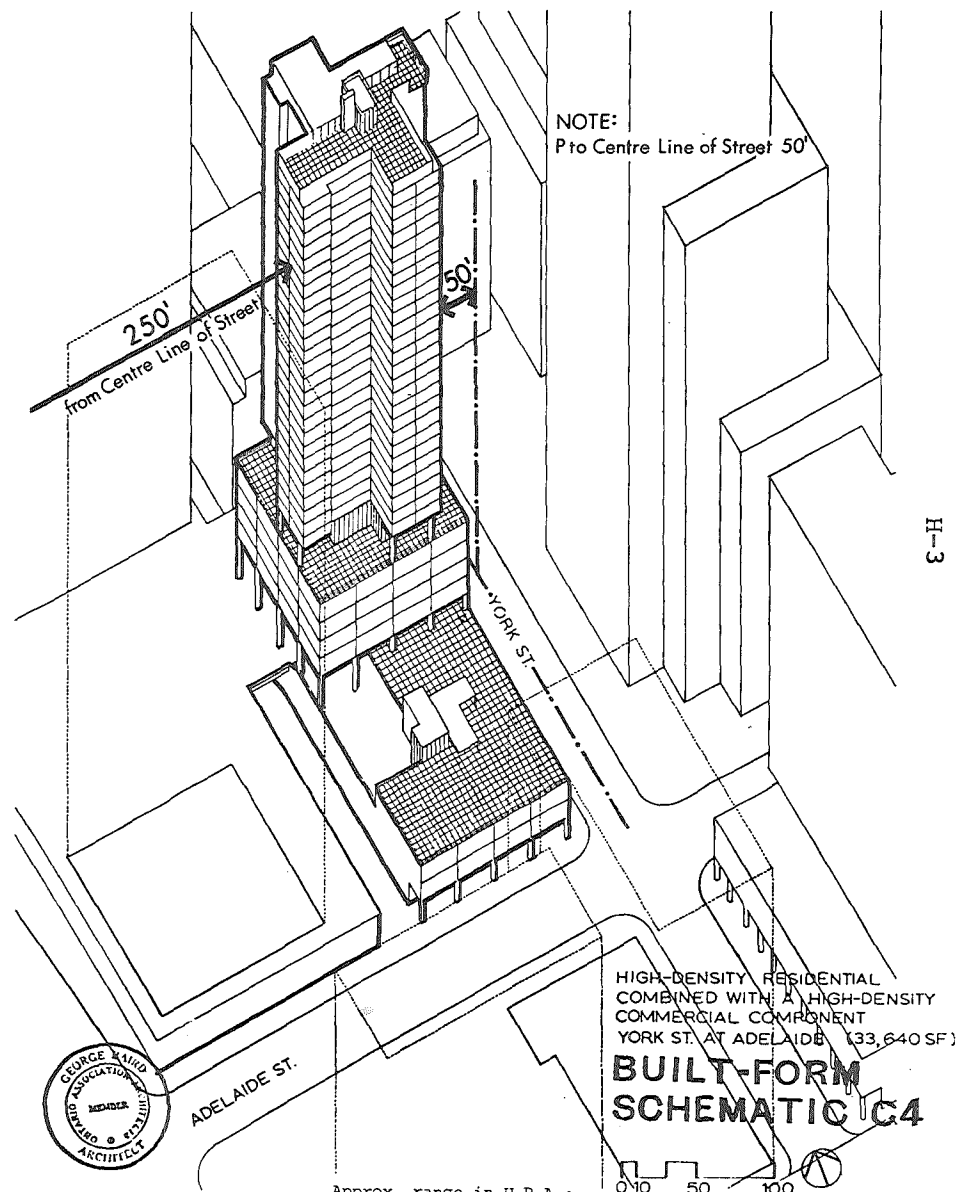
**BUILT-FORM
SCHEMATIC B1**

H-1



Approx. range in U.P.A.:
871 to 373
FSI range at fixed U.P.A.:
870: 9.0 to 20.0 370: 9.0 to 3.8

SUGGESTED FSI: C10 + R9.0 = 10.0
ATTAINED FSI: C10 + R9.0 = 10.0



Approx. range in U.P.A.:
145 to 295 UPA

SUGGESTED FSI: UP TO 90R
ATTAINED FSI: C3B + R5.4 = 9.2

