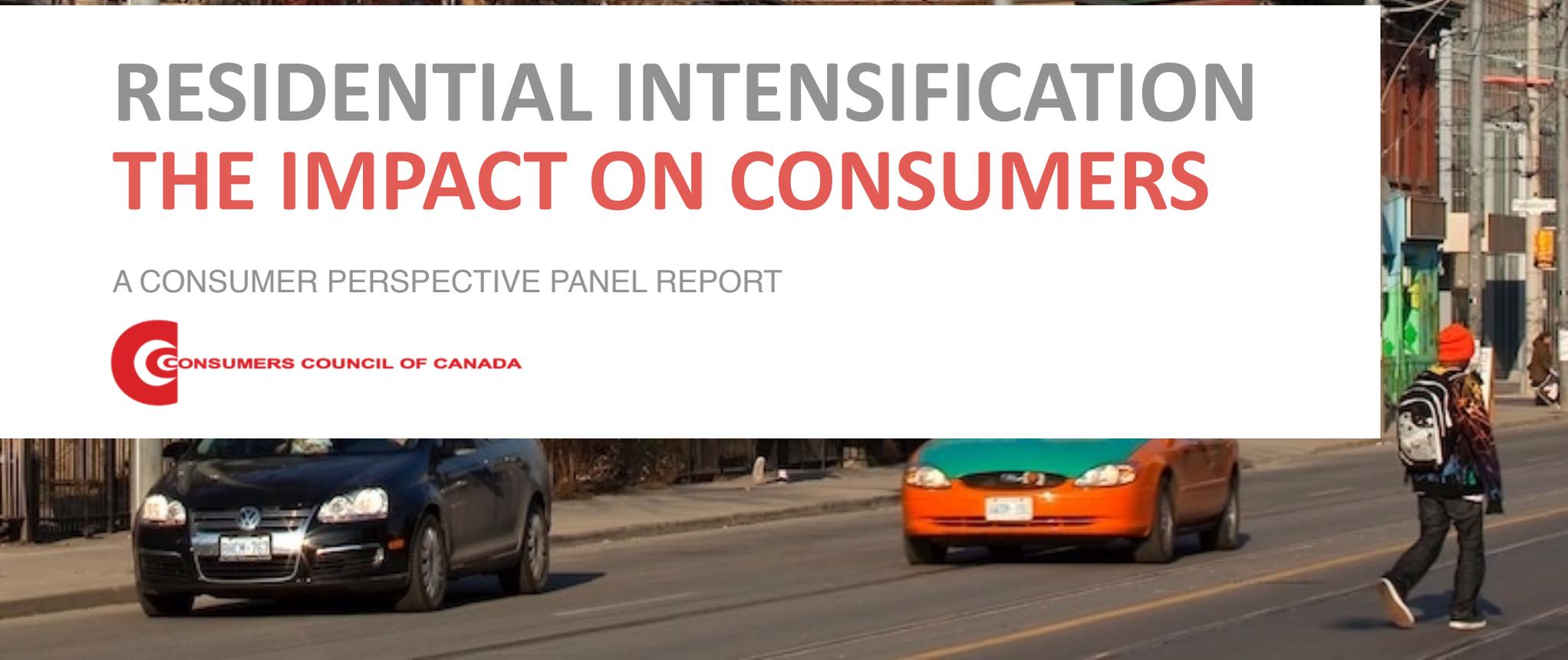


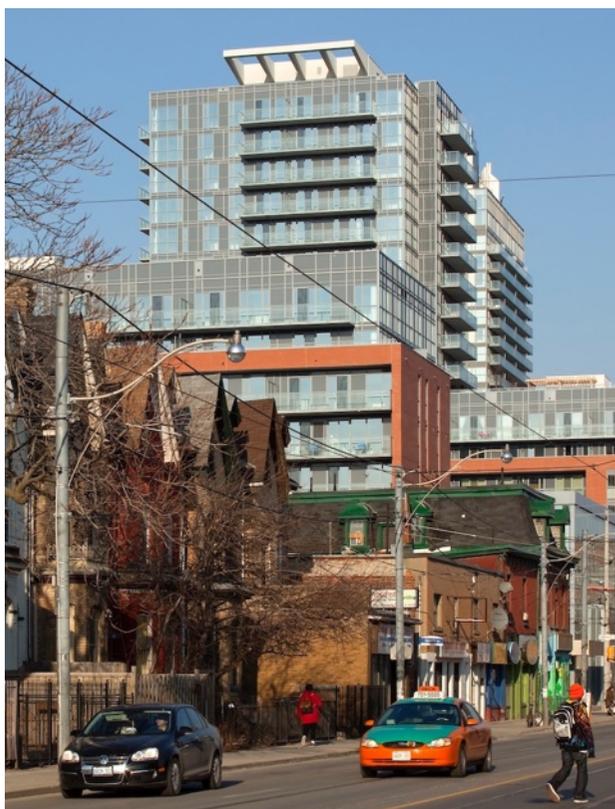


RESIDENTIAL INTENSIFICATION **THE IMPACT ON CONSUMERS**

A CONSUMER PERSPECTIVE PANEL REPORT



RESIDENTIAL INTENSIFICATION: THE IMPACT ON CONSUMERS



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Cover Photo: One Cole Street is an important part of Toronto Community Housing's Regent Park revitalization project – courtesy of Diamond Schmitt Architects. Photographer: Tom Arban

FOREWORD

Intensification – The redevelopment of a property, site or area at a higher density than currently exists, including the reuse of brownfield sites; the development of vacant and/or under-utilized lots within previously developed areas; infill development, or the expansion or conversion of existing buildings.

The context of this report

Canada's cities are adapting to economic growth, infrastructure renewal, household formation, globalization and new urban planning paradigms intended to address planning effectively for growth compatible with protecting the natural environment. Intensified use of urban lands for residential and other purposes has become a policy choice deemed to be a necessity for cities. As well, growing numbers of people within Canada and from abroad are attracted to the opportunities offered by Canada's cities, as they seek to realize new lifestyle choices and find ways to meet new and enduring needs.

Builders have embraced the resulting marketplace opportunities and responded with unprecedented levels of construction of condominium apartments and townhouses, using less land per residence than has been common previously in Canada's cities.

As many more Canadians move closer together, not surprisingly some challenges have emerged for consumers, builders and the real estate marketplace.

How did the effort to produce this report come together?

Within this context, the Consumers Council of Canada (the Council) has been working to improve its knowledge and to develop a new agenda to better represent consumers' interests, having already done research, held public events and engaged in consumer representation on related subjects, such as household energy conservation, the home renovations marketplace, regulation of the trades, the southern Ontario transportation crisis, and rights and responsibilities associated with condominium ownership.

The need to do this was recognized by the Council because the impacts of residential **intensification** have touched the work of its members as they have acted as consumer representatives working at the Canadian Commission on Building and Fire Codes, the Building Code Technical Advisory Committee of the Ontario Ministry of Municipal Affairs and Housing, Ontario Energy Board, Stakeholder Advisory Committee of the Independent Electricity System Operator, Consumer Advisory Council of the Technical Standards and Safety Authority, CSA Group and Standards Council of Canada.

At the same time, the Residential Construction Council of Ontario (RESCON) identified from its perspective that in matters involving its mandate consumers and consumer groups seemed institutionally challenged to discuss or validate reforms by government and industry aimed at improving consumer protection and increasing consumer satisfaction. A constructive, informed "consumer voice" appeared disorganized and weak.

RESCON is a unique association within the building industry that contributes thoughtfully to public policy discussions and standards development in such areas as:

- Health & Safety and WSIB Issues
- Labour Training and Apprenticeship
- Building Code Reform
- Technical Standards
- Procedures and Insurance

So, in the summer of 2013, each of the Council and RESCON were both seeking partners to explore the impacts on consumers of residential intensification. Subsequent discussions led to the formation of the *Consumer Perspective Panel Concerning Implications of the Intensification of Residential Housing* by the Council, with financial support from RESCON.

Years of commitment to challenging work

The effort leading to this report took two and a half years of commitment by the Council, RESCON and the panel of 12 consumers, urban planning experts and industry representatives assembled by the Council to identify and review the consumer impacts of residential intensification. The volunteer panel has made 24 recommendations and identified matters that remained contentious among them or deserved more investigation and assessment.

A helpful report that should be of broad public interest

It is hoped the panel's report helps the consuming public, news media, elected officials, public servants, industry professionals and Council and RESCON members to better understand consumer issues emerging as a result of residential intensification. This should help current efforts by

all interested parties to take steps necessary to achieve consumer satisfaction.

The completion of the panel's work and this report is an important step toward strengthening the consumer voice as steps are taken in Ontario to improve consumer protection. Among them are the Ontario government's reforms of the Condominium Act and its recent appointment of a special adviser to review post-purchase protections for owners of new homes.

The Council believes this report will stimulate dialogue about how to improve the housing landscape for consumers in the Greater Toronto and Hamilton Area and provide insights into consumer needs wherever residential intensification takes place across Canada.

Consumers Council of Canada

ACKNOWLEDGEMENTS

The Consumers Council of Canada acknowledges the support for this report by the Residential Construction Council of Ontario (RESCON) and the Metropolitan Toronto Apartment Builders' Association (MTBA). The Council and its sponsors agreed that the purpose of this initiative was to determine the implications of the **intensification** of residential housing for the exercise of consumer rights and responsibilities.

The Council and RESCON agreed that the development of well-informed Canadian consumer representation – prepared to seek improvements in legislation, regulatory enforcement and business practices – is necessary. And that a better informed public, media, government and business sector are important. The Council and RESCON have agreed to work together in the future on areas of required research, consultation and advocacy.

Thanks for the completion of this project and its report is extended foremost to the 12 panel

members, who were chosen for their consumer experience, expert knowledge, and industry know-how. They brought their resulting insights to this work. The panel members were:

- John Caliendo, a consumer member of the panel who is Co-President of the ABC Residents' Association in downtown Toronto
- Ken Greenberg, an expert member who is President of Greenberg Consultants
- Craig Holloway, an industry member who is a Senior Project Manager at the Sorbara Group
- Corey McBurney, an expert member who is President of EnerQuality
- Linda Pinizzotto, a consumer member who is President of the Condo Owners Association
- Don Pugh, an industry member who is a Vice President of Daniels Corporation

- Bryan Purcell, an expert member who is Director of Policy and Programs at the Toronto Atmospheric Fund
- David Speigel, an industry member who is a Partner and COO at Metropia Inc.
- Alex Speigel, an industry member who is a Partner at Windmill Developments
- Brian Smith, a consumer member who was President and CEO of WoodGreen Community Services when this project began and has since retired and joined the Mayor's Task Force on Toronto Community Housing
- Marianne Touchie, an expert member who during the project was the Building Research Manager at the Toronto Atmospheric Fund and a Postdoctoral Fellow in the Department of Civil Engineering at the University of Toronto
- Sybil Wa, a consumer member who is an Associate at Diamond Schmitt Architects
- Michel Labbé, President, Options for Homes Non-Profit Corporation
- Robert Levit, Director, Master of Architecture Program, John H. Daniels Faculty of Architecture, Landscape and Design, University of Toronto
- Peter Moore, Project Manager, Condo Consultation, City of Toronto
- Dana Senagama, Senior Market Analyst, Greater Toronto Area, Canada Mortgage and Housing Corporation
- Phil Simeon, Manager, Condominium Modernization Project, Ontario Ministry of Government and Consumer Services
- Bryan Tuckey, President and CEO, Building Industry and Land Development Association

And Marshall Leslie acted as facilitator of the panel and wrote this report. He chairs the Housing and Energy Committee of the Consumers Council of Canada.

The panel was fortunate to receive presentations from the following individuals, who in their capacity at the time, shared their experience and knowledge:

- Remo Agostino, Vice President, Development, Daniels Corporation
- Mike Cote, Vice President, Builder Relations, Tarion Warranty Corporation
- Tony Gioventu, Executive Director, Condominium Home Owners Association of BC
- Heather Grey-Wolf, Director, Regent Park Revitalization, Toronto Community Housing
- Matthew Hellin, Senior Policy Advisor, Condominium Modernization Project, Ontario Ministry of Government and Consumer Services

A CONSUMER PERSPECTIVE PANEL REPORT

Working together as the Consumers Council of Canada our members form the most active, Canada-wide, multi-issue consumer group. The Council is respected and well known to governments and the news media. Representatives have standing with building code and standards development organizations, the Ontario Energy Board, regulators such as the Ontario Technical Standards and Safety Authority, the Electrical Safety Authority and other bodies dealing with the built environment. The Council's approach to consumer representation is to work with industry and government to give expression to the consumer voice, and to work constructively to identify and produce solutions to problems.

ABSTRACT

The purpose of the Council's Consumer Perspective Reports is to provide the Council, stakeholders and the public with an overview of issues relevant to a specific topic. It assesses the impact on consumers of related regulatory and marketplace developments. It summarizes known thinking of consumer groups about the topic. It identifies information gaps. And it may point the way for future research and discussion on the topic.

Residential **intensification** has been a planning objective in Ontario for decades, but has recently followed a path quite different than in the past. The type of building that provides a home to many people can now be as tall as an office tower. New mid- and high-rise residential buildings in Ontario and British Columbia have gained a larger share of the new-home market than ground-oriented, **low-rise** housing. And whole new tower neighbourhoods are the result. This has not happened without controversy.

While two-thirds of Canadians continue to live in suburbs (Gordon and Shirokoff, 2013) a paradigm shift is occurring in our largest urban centres. This shift presents consumers with multiple choices and constraints. There is no **greenfield** building in the biggest Canadian cities and none in any urban core. Large-scale residential rental construction ended in Canada more than 40 years ago, and has been replaced by condominium building (the first of which was only registered in 1967). As a result, consumers' housing choices are restricted to the existing stock of detached housing, older rental and condominium buildings, and new condominiums. The constraints posed for consumers include income, the new concept of shared

condominium ownership, state-of-repair, access to services, presence of community and cultural amenities, physical infrastructure and employment. The relationships between these factors are part of a complex web and need to be explored from the individual consumer perspective.

For housing is no ordinary consumer good. First and foremost it provides shelter. Second, a home is the largest asset an average individual will ever possess. And last, a home is also part of a physical and social network that offers community. So the consumer interest in any significant long-term change in the housing market – and intensification is significant – comes in many forms.

The Council intends that this report educate and inform consumers of trends and events that could impact a decision to live in, purchase or rent a home in new or existing communities where intensification has taken place or is going to occur. The report of the panel assumes that housing affordability, building performance, the urban planning framework and shared condominium ownership are major themes to filter concerns about **density** and intensification. The panel surveyed all of these themes – seeking connections for actionable solutions – in making each of their 24 recommendations.

Keywords: Toronto, Ontario, **density**, **intensification**, **high-rise**, residential, housing, affordable, municipalities, planning, building, performance, energy, benchmarking



1
SUMMARY

**You ain't seen nothin' yet
B-b-b-baby, you just ain't seen n-n-nothin' yet
Here's something that you never gonna forget
– Randy Bachman**

The way we live in the stretch of urban Canada around the western shore of Lake Ontario is changing faster than most people realize. Consumers Council of Canada invited 12 individuals representing the housing industry, skilled experts, and consumers, to join a panel to examine the impact of residential **intensification**. Panel members looked at where we have been and the shape of things to come. Following a consensus process, they made 24 recommendations which taken together suggest that in the future consumers have to be better informed about condominium purchases and high-density living; planning policies must reflect the rapid shift to intensification; a higher demand will be placed on the performance of new and existing buildings; and the need for affordable housing can only grow.

**Chapter Photo: A green roof is a feature of One Cole Street – courtesy of Diamond Schmitt Architects.
Photographer: Tom Arban**

BACKGROUND

The skyline of southern Ontario's Greater Toronto and Hamilton Area (GTHA) has undergone remarkable change. Post-war bursts of high-rise office and apartment construction were followed by recession in the 1990s, and then an even bigger wave of residential building which has not abated. The last decade's construction boom is based in large measure on market shifts and planning policies that have produced several results – important among them are taller residential buildings and denser neighbourhoods.

Within the short term, there has been opposition from existing residents, expensive appearances before planning tribunals, falling glass, unhappy purchasers, warranty claims, law suits, a lengthy review of Ontario's *Condominium Act*, and growing media scrutiny. Over the long term, there are concerns about health impacts, strained infrastructure, disappearing streetscape, an emerging pattern of child-free zones, loss of asset value, and the absence of a municipal planning blueprint.

In the space of a decade:

- The region has become the residential high-rise magnet of North America
- Toronto has more **high-rise buildings** of 12 or more storeys than any North American city except New York
- The number of units in proposed condominium developments has grown – and their average size shrunk – as the mass and height of the proposals arc upward

- The supply of new ground-related housing in the GTHA has fallen by half between 2001 and 2014
- The number of proposed **mid-rise** developments (the option preferred by most planners) is as great outside of designated development corridors as inside
- The average price of a new **low-rise** home in the region has reached a record \$811,579 as of September 2015.
- The average price of a new high-rise home in the region has reached a record \$441,156 as of September 2015.
- The price gap between new low-rise and high-rise homes has grown
- Housing prices in the Toronto-centred region and Vancouver have escalated far beyond those in the rest of Canada
- New condominium construction has been required to meet the need for rental units
- 28% of condominium units are owned by investors
- Since 2010, there have been more than 30 incidents of tempered glass falling from the balconies of new condominiums
- The GTHA has the largest stock of high-rise residential buildings in need of repair in Canada, while two renewal plans sit on the shelf – Toronto Community Housing's (TCHC) "State of Good Repair" and "Tower Renewal"

- The 30 municipalities and 10 transit agencies in the GTHA now comprise the largest regional growth planning entity in North America.

THE PANEL

The 12-person, multi-stakeholder panel invited by the Council met on six occasions between May 12, 2014 and March 12, 2015. It represented a cross-section of consumer, industry and expert opinion, and employed a balanced process, to examine a variety of experiences in **high-rise** living. It specifically set out to examine the need for better condominium purchaser information, the effectiveness of municipal planning, building performance, and affordable housing alternatives (but other issues were addressed as well – see below). This approach had been used by the Council in the past to explore a different issue – food labelling. The panel’s objectives on this occasion were to produce a report, make recommendations on a consensus basis, identify those areas where no consensus could be achieved but could require examination in the future, and present their recommendations to industry and policy-makers for implementation or further research.

THE PANEL PROCESS

The panel’s report represents the consensus views of its 12 members. Among its ground rules, the panel was established as a collaborative process, where members were asked to search for shared interests that could be built on. The report is therefore a balanced statement, although a section at the end on ideas and proposals on which agreement could not be obtained has also been included. No personal attribution by a panellist has occurred or will occur. Marshall Leslie, Chair of the Council’s Committee on Housing and Energy,

facilitated the panel with the assistance of Ken Whitehurst, the Council’s Executive Director.

In January 2014, the Council released a discussion paper titled *Residential Intensification: Density and its Discontents*, which was circulated and posted to the Council’s website. The Council has gathered more than 200 reports, studies and articles that have been placed in an online collaboration platform accessible to both panel and Council members. The facilitator, staff and panel members have spoken with and accumulated many hours of research during the conduct of this project.

This process may be best described as a private process to produce a public outcome. The Council intends to continue to work with RESCON, gather input from Council members across Canada, carry on a public process of consultation, and communicate the work of the panel to decision-makers at all levels who are in a position to improve the lives of all Canadians living in urban areas with the impact of housing intensification.



2
THE CONSUMER INTEREST

Consumers by definition, include us all. They are the largest economic group, affecting and affected by almost every public and private economic decision. Yet they are the only important group ... whose views are often not heard.

– John F. Kennedy

The focus of this report and the panel’s work is rapid residential intensification in the GTHA. As stated in the abstract, housing is an unique consumer good – combining shelter, asset and social network – all in one. These unique characteristics, the speed of change in the GTHA, and the direction of change, require that we explain the full extent of the interests consumers have in residential intensification, in order to understand its real impact. For intensification comes in many forms. It may be a tall or a **mid-rise** building, or a row or townhouse. It can be private, public, owned or rented. It could be **greenfield** (new) or **brownfield** (a commercial/industrial site redevelopment). And projects can be marketed to a variety of different lifestyles, needs and incomes. But it is never cheap, requires a lot of work and cannot be prevented – as long as the GTHA is a destination for thousands and as-of-right development exists in hundreds of parcels.

The next sections of this chapter detail three ways consumers’ interests can be described.

Chapter Photo: Daniels Spectrum is part of the Regent Park revitalization project, a multi-use building with a busy café – courtesy of Diamond Schmitt Architects. Photographer: Lisa Logan



Courtesy of Wikimedia.

THE ROOF OVER YOUR HEAD: DURABILITY, SECURITY & RESILIENCE

Whether buying or renting, the expression “the roof over your head” means a place to live. Increasingly, we also hear expressions like durability, security and resilience discussed in the same context, as more specific representations of that expression.

The first large-scale post-war national consumer housing durability issue was the result of the installation of urea formaldehyde foam insulation (UFFI) in somewhere between 100,000 and 200,000 homes during the late 1970s. Homeowner incentives were offered under the Canadian Home Insulation Program (CHIP) to upgrade the home’s walls and roof, but the release of formaldehyde gas in freshly insulated walls raised alarms. The Government of Canada banned UFFI in 1980 heightening worries, although it was never shown to

be a health concern. A regional example of widespread building envelope failure was the British Columbia “leaky condo crisis” of the 1990s. Claims were recorded against more than 30,000 condominium (strata) units – so many that the province’s New Home Warranty Program collapsed. A Royal Commission, years of trials, claims and rebuilding were the result. A local example of durability problems is the pyrrhotite-damaged foundations of hundreds of homes in the Mauricie and Centre-du-Québec. The number of cracked foundations by 2013 had forced the Régie du bâtiment du Québec to place in trusteeship one of three new-home warranty providers in the province. Another local example is the \$896 million repair backlog of the TCHC (Canada’s largest landlord) whose 2,154 buildings suffer from neglect.

“Resilience” is a term whose currency is more recent but appears to describe how quickly a community can bounce back from a natural disturbance. Twice in 2013, in July when a storm and flash flood in Toronto resulted in the most costly natural disaster in Ontario’s history; and in December when an ice storm resulted in a loss of power to about 500,000 residents, we have had opportunities to learn just how robust a recovery people can make. Resilience – along with security and durability – describe the type of forces at work that must raise the interest of all consumers.



See Resources I for links and contacts related to durability, security and resilience

Security is also an expectation in every home. The GTHA region has witnessed two explosive (literally) examples of mass displacement: the August 2008 Sunrise Propane explosion that forced the evacuation from their homes of many Toronto residents and left 100 houses uninhabitable; and the November 1979 Mississauga train derailment that resulted in the largest Canadian peacetime evacuation of more than 200,000 residents. This summer, criminal activity across several communities was raised as a serious threat by the Mayor's Task Force on Toronto Community Housing Corporation who asked Ontario to consider introducing “Safer Communities and Neighbourhoods” (SCAN) type legislation in the province.



One Cole Street – courtesy of Diamond Schmitt Architects. Photographer: Tom Arban

CHOICE: BOTH AFFORDABILITY & FORM

Consumers also have an interest in housing choice, which we measure in two ways: affordability and form. At the moment we see no others because housing is not a right that individuals can possess, so apparently one element of choice is no housing at all. This conclusion comes in response to a charter challenge the Ontario Court of Appeal heard last year, when it ruled that housing is “inherently political and not a matter over which a court can exercise its judicial authority”. (Ontario Court of Appeal, *Tanudjaja v. Canada*, December 2014)

Affordability, however, is a consumer interest at all levels – owned or rented, detached or multi-res – and there are many ways to illustrate its challenge in the region. TCHC is Canada’s largest landlord and its waiting list is 90,000. (There are 165,000 on waiting lists across the province.) The Ontario rental vacancy rate declined to 2.5 per cent in April 2015, from 2.8 per cent one year before (Canada Mortgage and Housing Corp., *Ontario Rental Market Highlights*, Spring 2015). Private purpose-built rental housing in the GTHA until recently had all but completely disappeared, as new condominiums filled the demand for secondary rental units and investors reshaped Toronto’s **high-rise** condo market with their purchase of small units. In this environment, it is no surprise that the average price of new low- and

high-rise homes in the region is at record levels, and the gap between them continues to grow.

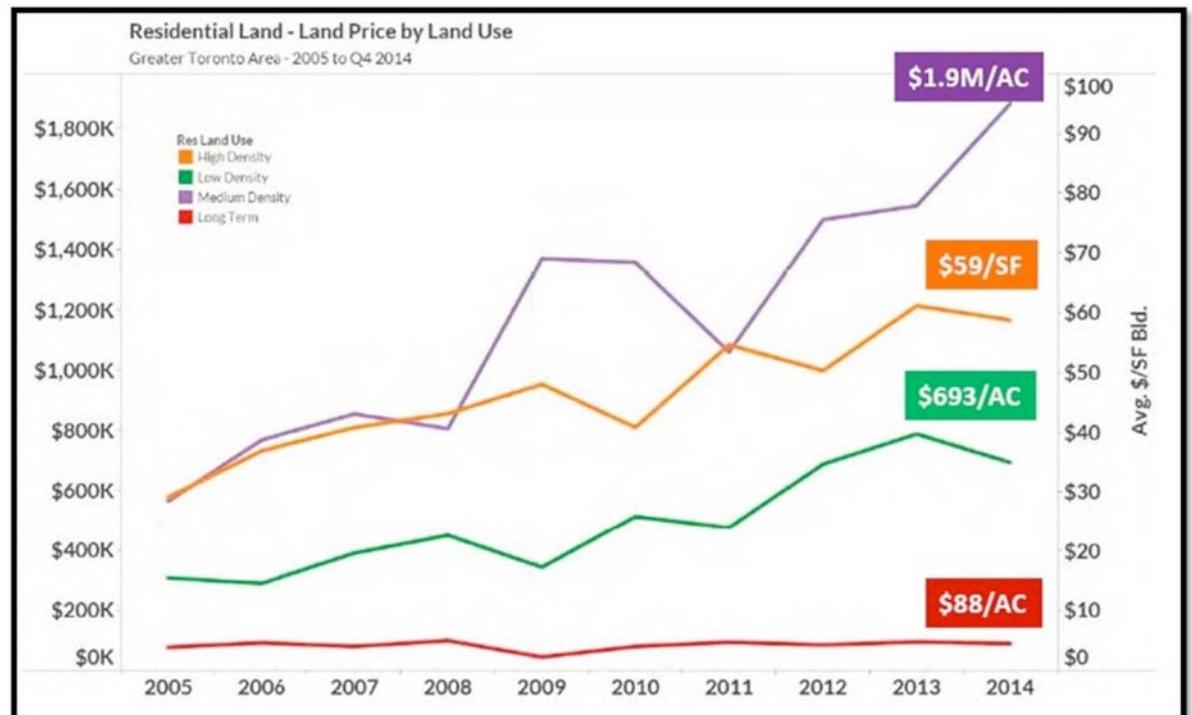


See Resources II for links and contacts related to durability, security and resilience

forming a “nexus” of a family-friendly city. The 2011 Census also indicates that downtown Toronto wards have experienced some of the fastest growth in the numbers of children (admittedly from a small base). Yet new buildings with more than two bedrooms are so scarce that they barely register in market studies.

In the short-to-medium term there is little chance that these circumstances will change, and the supply increase, since GTHA municipalities (with few exceptions) have not maintained the range and mix of serviced land required by the *Provincial Policy Statement* (Clayton, *Why There is a Shortage of New Ground-Related Housing in the GTA*, 2015). TD Economics has concluded that lack of supply – in particular for ground-oriented new homes – lessens choice, limits individual mobility and reduces affordability. The bank links affordability directly to housing form. (TD Economics, “GTA Housing Boom Masks Growing Structural Challenges”, January 19, 2015)

Restrictions on form – in particular a lack of family-sized housing units – also limits consumer choice. The Toronto Planning department has concluded that families can rejuvenate the downtown because the services they require address similar needs to groups like seniors – parks, walkable streets, transit, social services and a broad commercial mix – together



Not only has the cost of land increased in the last decade, but the price gap between land used for different densities has also grown – chart by RealNet® courtesy of BILD.



The Daniels Spectrum in Regent Park offers several amenities, including theatre space – courtesy of Diamond Schmitt Architects. Photographer: Lisa Logan



Community gardens are a welcome new feature and amenity in Regent Park – courtesy of Toronto Community Housing.

NEIGHBOURHOODS: SUSTAINABLE WITH SERVICES

Consumers have an interest in sustainable neighbourhoods provided with good services. And on this, the City of Toronto possesses examples of planning and market failures, as well as successes.

The largest high-rise neighbourhood in the country is St. James Town. Its early imagery of a singles lifestyle bears some similarity to the recent messages found in the marketing material of new condominium projects currently under construction. But St. James Town was overbuilt, poorly constructed and lacks community services. In Toronto's west end, Parkdale was consciously destroyed by Toronto Planning staff over a decade in the 1950s, when

Sunnyside and 200 homes were levelled to build the Gardiner Expressway. And of course, somebody forgot to include transit when Liberty Village was conceived.



See Resources II for links and contacts related to durability, security and resilience

On the other hand, Toronto's St. Lawrence Neighbourhood is a good example of a mixed-income residential and commercial neighbourhood built over 30 years ago on the original site of the Town of York. Its mix of housing co-operatives, condominiums and private homes, heritage sites, community service and commercial properties has been widely hailed. TCHC's Regent Park Revitalization is half way through its 20-year city building program in the downtown east end. More than 2,000 affordable rental units and 5,400

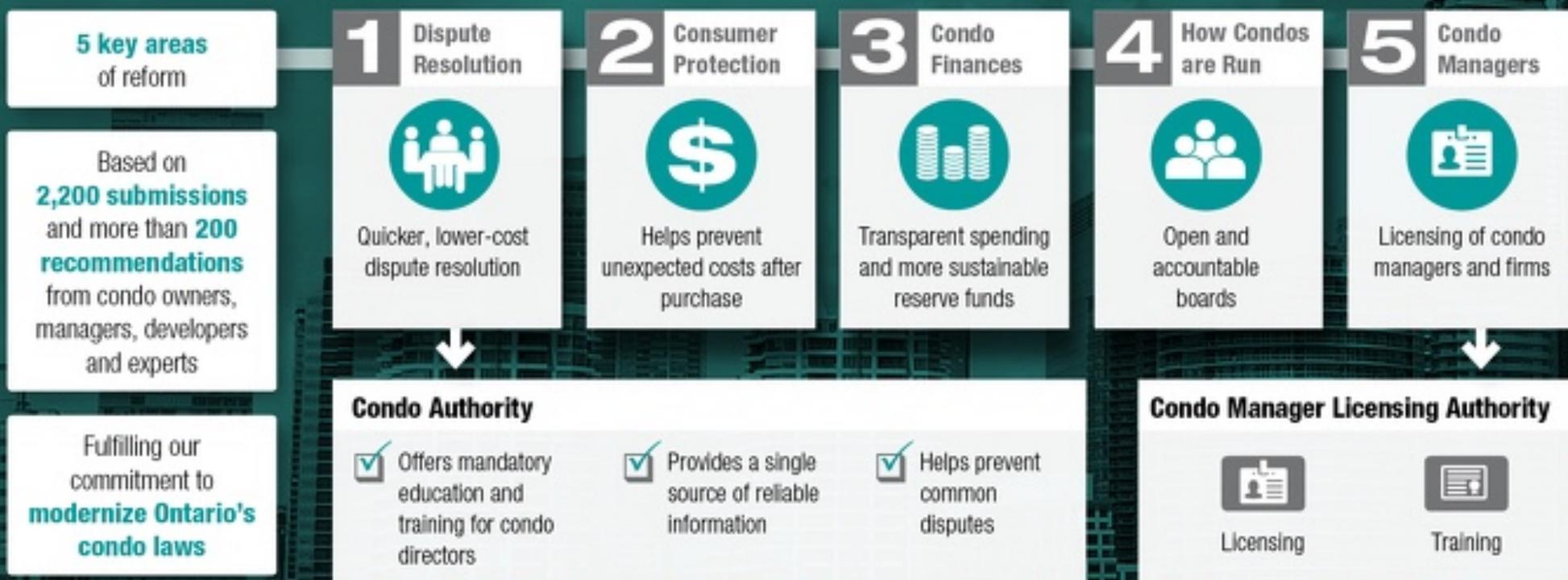
market units, new retail space and community services will be added. Waterfront Toronto's East Bayfront site is a 55-acre – one-quarter of which is park and public space – new neighbourhood that will add 6,000 residential units including 1,200 affordable rental units, three million square feet of commercial space and a new George Brown College campus to the city waterfront. It is easily accessed by public transit. The last three projects are complete sustainable neighbourhoods which not only reflect the general interest of consumers, but offer the sought-after mix of housing types, employment, community services and physical links that urban regions should strive for.



The Aquatic Centre in Regent Park is an example of several new community amenities – courtesy of Toronto Community Housing.

Building Stronger Condo Communities

How would the proposed Protecting Condominium Owners Act help you?



ontario.ca/CondoReform



This chart shows steps proposed as part of the reform of condominium legislation – courtesy of Ontario Ministry of Government and Community Services

CONSUMER INTERESTS IN ONTARIO

Consumers have had and will continue to have a role directly advising both industry and government. Evidence of this exists in many ways. Ontario has the oldest, mandatory, new-home warranty program in North America. Now more than 40 years old, the new home warranty program has expanded over the years to include: coverage of condominium elements in 1990, an ombudsman's office in 2008, and now a plan to cover condominium conversions. At this time, there are approximately 375,000 recently built homes under warranty, in a system that has few counterparts. Consumers have had active standing in this process.

Ontario was the second jurisdiction in the world, and the first in North America, to require insulation in new homes. Building code development regulation has led North America ever since. Ontario likely has the highest quality housing stock of any jurisdiction in the world, and consumers are regularly consulted in the building code cycle.

Ontario pursued a three-stage public review of the *Condominium Act* beginning in 2012 that generated more than 200 recommendations. The result is two new pieces of legislation – the *Protecting Condominium Owners Act* and the *Condominium Management Services Act* – as well as amendments to the *Condominium Act*, the *Ontario New Home Warranties Plan Act* and small amendments to

other acts. At the same time, the City of Toronto undertook its own condominium consultation with residents, to discover how municipal planning affects residents living in this type of housing. Several thousand individuals took part in these processes.

The City of Toronto in the last decade launched several initiatives – sometimes described as “city building” – that have engaged the public. They include: the *Toronto Green Development Standard*, the **Tall Building** Guidelines, the *Chief Planner’s Roundtable*, a new set of urban design guidelines, more than 20 “avenue” studies, and a prolonged debate on transit. Toronto also has an active civic culture that celebrates many aspects of urban life, including: Doors Open, an annual heritage festival; Jane’s Walks, a local self-guided initiative; Nuit Blanche; the second largest municipal branch library system in the world; more than 50 local residents associations; and informed discussion on the fine points of topics like Section 37 Implementation Guidelines.

Other municipalities in the region follow a similar pattern. Mississauga is the second largest municipality. Like Toronto, it has reached the outer limits of its built form, and has identified several target areas for intensification, as well as construction of a light-rail transit system. Markham is the culturally most diverse municipality in Canada. In 2011, Markham’s sustainability plan – *Greenprint* – was introduced. The plan was developed with significant public input; the city has adopted “New Urbanism” development principles; and Markham has unique characteristics like a municipal district heating system.



Mid-rise residential buildings of up to six storeys and made of wood have been recently permitted in British Columbia, Alberta, Ontario and Québec and are said to be lower cost to construct – courtesy Wood *WORKS!* BC.

CONSUMER INTERESTS IN OTHER PARTS OF CANADA

Public forums about **tall building** policies have occurred in two Canadian cities: Toronto and Vancouver. Vancouver – a lot smaller city in a very different setting – has obtained far more control over planning and development issues than Toronto, or any other Canadian city. (Perhaps for these reasons it has had “View Protection Guidelines” since 1989.) No other public discussions on tall building design are being conducted at the moment anywhere else in Canada; although Canada Mortgage and Housing Corporation (CMHC) regularly collects market and opinion research on condominium life, and RESCON is involved in the development of the Building Tall Research Centre, within the Department of Civil

Engineering at the University of Toronto. To the extent that occupancy of a condominium unit is equivalent to living a high-rise lifestyle, CMHC research consistently indicates (CMHC Profile of Condominiums in Canada, 2012) that across the country:

- Condominiums accounted for a disproportionate share of home-ownership growth between 1981 and 2006
- An aging population was not the major factor behind growing condominium numbers. Condominium ownership was up between 1996 and 2006 in all age groups
- Singles and childless couples are the majority of households living in condominiums
- The number of rented condominium units is underestimated in all surveys, so that the true number of them is unknown.
- Condominium market shares are highest in British Columbia, and Vancouver, but are also high in resort and retirement areas
- Seniors prefer mid-rise and high-rise condominiums with elevators, over other types

New-home warranty programs in the provinces have always worked closely with consumers, but have responded in different ways to the shift to high-rise condominium building. Nova Scotia – where the program is voluntary – in 2008 drafted a *Homeowner Protection Act* and launched reviews of construction quality, contractor licensing, and condominium construction. Québec's Régie du bâtiment du Québec (RBQ) reviewed its coverage of high-rise buildings, but chose to restrict its coverage to non-combustible buildings with no more than four private units stacked one above the other. Manitoba introduced a *New Home Buyers' Protection Act* in 2009 that has not yet been

enacted. The Saskatchewan Home Builders' Association has requested the provincial government make new home warranty mandatory for all homes constructed by builders, but has largely been ignored. Alberta made new home warranty mandatory in the Spring of 2014 – creating a program very similar to the one in British Columbia. British Columbia recently introduced the most extensive home-builder training and certification program in the country.

Consumers had a seat at the table when new objectives for energy efficiency and water conservation were added to the *National Building Code* of Canada, in the eight provinces and territories that adopt that code. (The provinces that adopt their own building codes are Alberta, British Columbia, Nova Scotia, Ontario and Québec.) A small number of municipalities have also incorporated voluntary building rating programs into their building permit systems. For example, two cities – Vancouver and Markham – require that LEED for New Construction “Gold” be achieved for multi-residential buildings.

It should be noted that jurisdictions in Canada, with the exception of Ontario and British Columbia, do not extend protection to purchasers of new high-rise units in condominium buildings. And over time, several differences have emerged between the coverage in British Columbia and Ontario:

- The maximum protection of condominium common elements in British Columbia is the lesser of \$100,000 times the number of units, plus \$2,500,000 per building. In Ontario it is the lesser of \$50,000 times the number of units, plus \$2,500,000 per building.
- Ontario protects against delayed closing, but British Columbia does not.

- The term for major structural defects is 10 years in British Columbia, but seven in Ontario.
- The term for water penetration protection is five years in British Columbia, with a 10-year option, but two years in Ontario.

Of equal importance, British Columbia passed the *Real Estate Development Marketing Act (REDMA)* in 2005 to protect purchasers of pre-sale condominium projects against changes made by developers prior to project completion. *REDMA* applies to developments marketed in British Columbia, regardless of whether the property for sale is actually located in British Columbia, or another province. Developers must disclose to purchasers a description and list of characteristics about their projects, and then keep purchasers aware of changes that occur after they have entered into an agreement. The whole purpose of *REDMA* is to dispel the “buyer beware” attitude from the purchase process – made more important because the predominance of condominium pre-sales prevents inspection of the unit and building. A seven-day opt-out clause and a disclosure statement are key protections.

INTERNATIONAL CONSUMER RIGHTS & RESPONSIBILITIES

The Consumers Council of Canada advocates for eight globally recognized consumer rights and responsibilities, plus an additional one that has become increasingly important in an interconnected world. On housing, as in other issues, it works collaboratively with consumers, business and government in support of these rights and responsibilities, seeking an efficient, equitable, effective and safe marketplace. (It also supports and advocates for the charter of International Consumer Rights.) This list and the matrix that follows show how consumer rights are linked to intensification and defines the degree of seriousness of the challenges consumers face in exercising their marketplace responsibilities. It describes the important links.

1. Basic needs

- The right to basic goods and services which guarantee survival.
- The responsibility to use these goods and services appropriately. To take action to ensure that basic needs are available.

2. Safety

- The right to be protected against goods or services that are hazardous to health and life.
- The responsibility to read instructions and take precautions. To take action to choose safety equipment, use products as instructed and teach safety to children.

3. Information

- The right to be given the facts needed to make an informed choice, to be protected against misleading advertising or labelling.
- The responsibility to search out and use available information. To take action to read and follow labels and research before purchase.

4. Choice

- The right to choose products and services at competitive prices with an assurance of satisfactory quality.
- The responsibility to make informed and responsible choices. To take action to resist high-pressure sales and to comparison shop.

5. Representation

- The right to express consumer interests in the making of decisions.
- The responsibility to make opinions known. To take action to join an association such as the Consumers Council to make your voice heard and to encourage others to participate.

6. Redress

- The right to be compensated for misrepresentation, shoddy goods or unsatisfactory services.
- The responsibility to fight for the quality that should be provided. Take action by complaining

effectively and refusing to accept shoddy workmanship.

7. Consumer education

- The right to acquire the knowledge and skills necessary to be an informed consumer.
- The responsibility to take advantage of consumer opportunities. Take action by attending seminars and workshops, work to ensure consumer education takes place in schools.

8. Healthy environment

- The right to live and work in an environment that is neither threatening nor dangerous and which permits a life of dignity and well-being.
- The responsibility to minimize environmental damage through careful choice and use of consumer goods and services. Take action to reduce waste, to reuse products whenever possible and to recycle whenever possible.

PLUS – Privacy

- The right to privacy particularly as it applies to personal information.
- The responsibility to know how information will be used and to divulge personal information only when appropriate.

This matrix describes the impacts of intensification that were discussed by the panel using the lens of globally recognized consumer rights and responsibilities

| The consumer rights charter | Possible impact of intensification |
|---|--|
| <p>Safety</p> <p>The right to be protected against goods or services that are hazardous to health and life. The responsibility to read instructions and take precautions. To take action to choose safety equipment, use products as instructed and teach safety to children.</p> | <p>Building maintenance and property standards are of real concern in high-rise living. Failing utilities, or loss of service due to lack of maintenance are unacceptable. Recent ice storms, blackouts and floods have demonstrated that there is a need for contingency planning and backup systems.</p> |
| <p>Choice</p> <p>The right to choose products and services at competitive prices with an assurance of satisfactory quality. The responsibility to make informed and responsible choices. To take action to resist high-pressure sales and to comparison shop.</p> | <p>Housing affordability and choice of tenure have been dramatically affected by intensification. There are not a lot of three- or four- bedroom units in new projects, for families. Consumers need more information about the performance of buildings.</p> |
| <p>Right to be heard</p> <p>The right to express an interest in decision-making and the responsibility to make one's opinions known.</p> | <p>The investor market for condominiums has been filling the need for new rental stock in Ontario introducing a new level of complexity to the landlord-tenant mix, and condominium governance.</p> |
| <p>Right to be informed</p> <p>The right to be given the facts needed to make an informed choice, to be protected against misleading advertising or labelling. The responsibility to search out and use available information. To take action to read and follow labels and research before purchase.</p> | <p>For 10 years, British Columbia's <i>Real Estate Development Marketing Act</i> has set an example for disclosure during construction and prior to closing that doesn't exist in any other province. Tenants and owners would both be able to better evaluate a building's condition if energy benchmarking were introduced.</p> |
| <p>Consumer education</p> <p>The right to acquire the knowledge and skills necessary to be an informed consumer. The responsibility to take advantage of consumer opportunities. Take action by attending seminars and workshops, work to ensure consumer education takes place in schools.</p> | <p>In British Columbia, the province-wide Condominium Home Owners Association has entered into unique partnerships with government and the private sector to provide educational materials to condominium residents.</p> |
| <p>Redress</p> <p>The right to be compensated for misrepresentation, shoddy goods or unsatisfactory services. The responsibility to fight for the quality that should be provided. Take action by complaining effectively and refusing to accept shoddy workmanship</p> | <p>In Ontario, important reviews of the land use planning and appeal system, the <i>Condominium Act</i> and development charges have recently occurred. As well, there are occasional reviews of the <i>New Home Warranty Act</i>, the <i>Provincial Policy Statement</i>, and the <i>Building Code Act</i>. Consumers should have funded intervenor status in all of these reviews.</p> |
| <p>Healthy Environment</p> <p>The right to live and work in an environment that is neither threatening nor dangerous and which permits a life of dignity and well-being. The responsibility to minimize environmental damage through careful choice and use of consumer goods and services. Take action to reduce waste, to reuse products whenever possible and to recycle whenever possible.</p> | <p>Ontario has a large stock of rental high-rises that require deep energy retrofits and pose at the same time an opportunity for neighbourhood revitalization. A provincial deep energy retrofit program could be the opening to test a post-occupancy evaluation scheme.*</p> |
| <p>Basic Needs</p> <p>The right to basic goods and services, which guarantee survival. The responsibility to use these goods and services appropriately. To take action to ensure that basic needs are available.</p> | <p>Affordable housing, rental options and units appropriate for families are now being acknowledged as a basic need for Canadians.</p> |
| <p>Privacy</p> <p>The right to privacy particularly as it applies to personal information. The responsibility to know how information will be used and to divulge personal information only when appropriate.</p> | <p>Privacy issues are revealed in simple ways like sound transmission through the walls of a high-rise unit, or in more complicated fashion like the use of confidential personal information in the possession of a condominium board or property management company.</p> |

*post-occupancy evaluation



3

UNDERSTANDING INTENSIFICATION



Kipling Heights, Etobicoke in 1971 – courtesy of CMHC.

THE CAUSES OF INTENSIFICATION

Intensification is the development of a property, site or area at a higher **density** than currently exists through: a) redevelopment, including the reuse of **brownfield** sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings. (Ontario *Provincial Policy Statement*, 2014) We have identified eight causes of intensification in the region: high household formation, government policy, technical advances in building methods, the cost of development, investor activity, the cost of infrastructure, innovative business organization, and changing employment and lifestyles. We note that:

Chapter Photo: The Toronto skyline in 1971 – courtesy of CMHC.

1. In the post-war period, Toronto has grown in population from a municipality that was middle of the pack in the United States and Canada to that area's third largest city. Household formation has led most other regions. Multiple residential starts in just the Toronto CMA were 2,798 in 1992, peaked at 37,406 in 2012, and are forecast to be 24,700 in 2015. For several years there have been more high-rise building projects in Toronto than any other city in North America.
2. Ontario government policy in the post-war period created a local government structure – particularly in Toronto – that was intended to steer development in a regional context. As a result, Toronto has a planning ethos. The first wave of post-war housing witnessed the arrival of production housing in planned

subdivisions. The second consisted of high-rise rental apartments at the core of planned communities conceived by both municipal planners and private developers. The region is now in the third wave. Ontario has always led across a wide array of planning policies: the first mandatory new-home warranty plan, regional governments, rent controls, the first provincial building code, and the first energy efficiency requirements in North America.

3. Technical advances in building methods found early adopters in the southern Ontario construction industry. In the 1960s, Toronto became a centre for the concrete forming industry – revealed in large numbers of the apartments of that era that are now celebrated by architectural historians, and the building restoration industry. In the 1970s, glass and

Low rental vacancy rates support condo market in Toronto

Toronto (percent)



One in five renters in Metro Toronto spends over half of household income on rent and utilities¹

¹ BC Non-profit Housing Association

BMO Capital Markets
We're here to help.

Sources: Canada Mortgage and Housing Corporation, Haver Analytics
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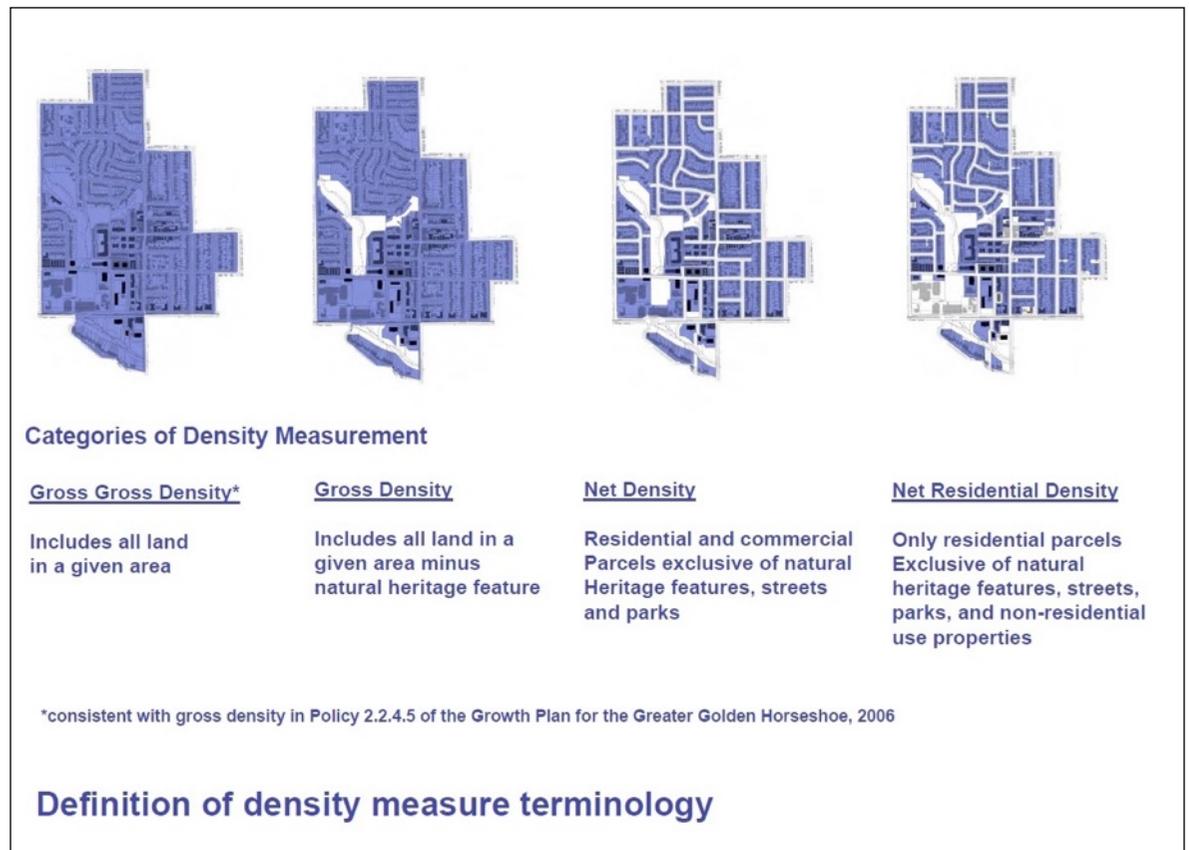
Condominium construction has been driven in part by low or non-existent rental building during a period of low vacancy rates – courtesy of Sal Guatieri, BMO Capital Markets

aluminum curtain/window wall and structural glazing were introduced to North America. These fabrication methods – stick frame and unitized panels – are used by local manufacturers, and have been transferred from high-rise commercial to residential building.

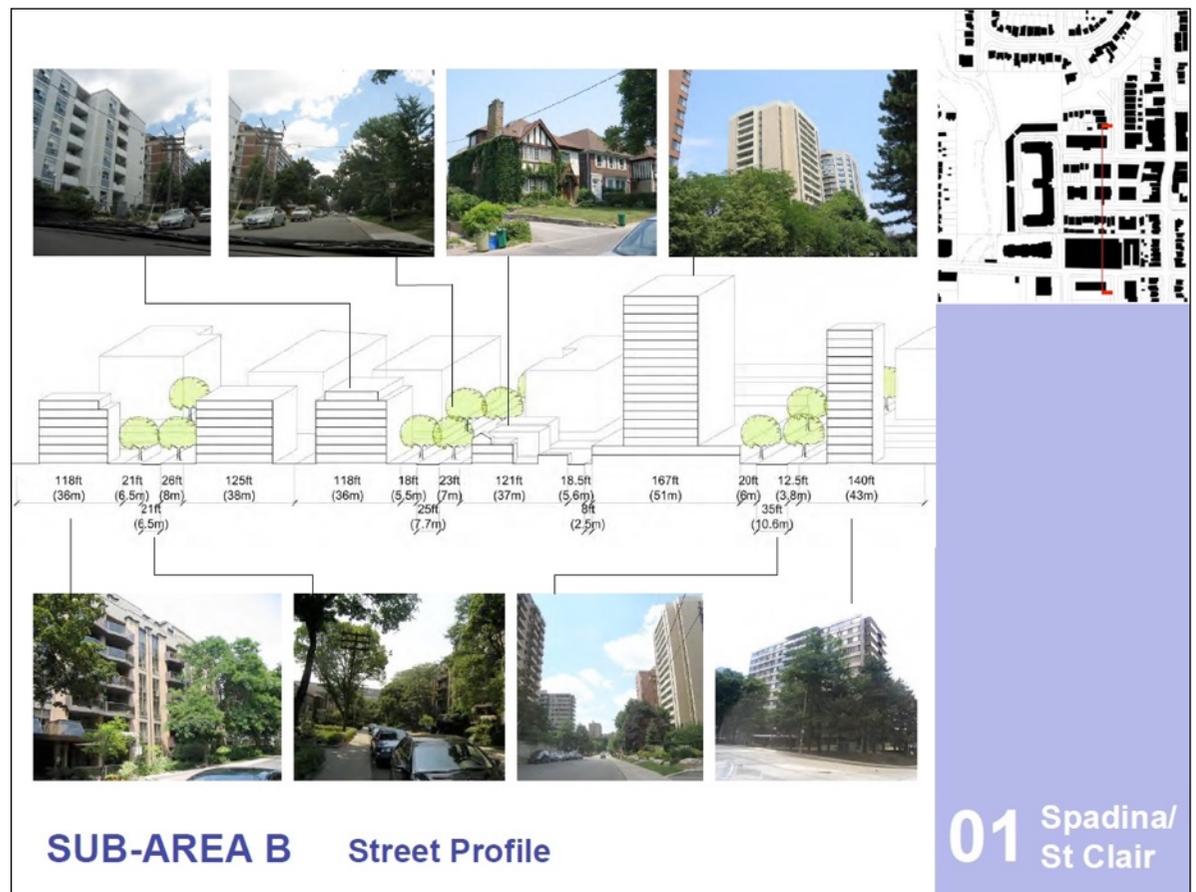
4. The cost of development has been radically altered. Land costs soared after the Ontario government introduced its *Places to Grow* policy and defined areas for growth. Average land prices rose more than 80% – from \$30 per square foot for high-rise building in 2005, to \$50 in 2013. Financing costs have risen, also, and much development financing is obtained outside of Canada. Ironically, building costs have risen least.

5. Investor activity in the new condominium market is significant. A consensus is emerging that much more than half of the purchases made in the last two years were not made by the beneficial owners.

6. Infrastructure costs are climbing. The current Ontario infrastructure budget is \$35 billion over three years. However, there is a reluctance to use taxes to pay for it.



Density can be measured in different ways – courtesy of George Baird and Robert Levit, the Daniels Faculty of Architecture, Landscape and Design, University of Toronto



A case study of Toronto's Spadina/St. Clair neighbourhood was one of several performed by George Baird and Robert Levit, the Daniels Faculty of Architecture, Landscape and Design, University of Toronto for Ontario's Growth Secretariat

7. Business organizations and entrepreneurs in the private sector are highly innovative and well capitalized. Industry has a deep well of experience. For example, the first privately developed high-rise community built in North America was Toronto's Flemingdon Park. Production home builders have organized their operations into high-rise and low-rise divisions. There is also a mature body of architectural firms that have moved back and forth between the commercial and residential sectors bringing their knowledge of both with them.

8. Employment and lifestyles are headed downtown. Unlike large American cities, there are several employers present in the downtown: in government, education, health, finance, investment, hospitality and cultural industries. Some firms – for example the Coca-Cola Company of Canada – actually returned to downtown Toronto after a long absence. A large number of popular events and attractions take place in the urban core.



Toronto's St. James Town in 1969 – courtesy of CMHC.

THREE HOUSING WAVES

The first post-war housing wave in the region was characterized by low-rise production home building in large serviced sub-divisions. It spanned the '50s and '60s. By the late '60s and early '70s, however more rental apartments than detached homes were being built, in an explosion of high-rise construction. The current wave of high-rise condominium construction is the area's third and is greater in size than that of the late '60s and early '70s. (ERA, 2008)

Nor is Toronto alone. Housing economist Will Dunning points out that in Canada's three largest metropolitan regions – Toronto, Vancouver and Montréal – almost 700,000 households or 14.9% of the total already live in condominiums. (Dunning, 2013) Between 2006 and 2011, new condominiums provided 37.7% of all new

dwellings in the three markets, and for all of Canada, the share was 20.2%. Demographic projections prepared by Dunning suggest that over the next 20 years, the requirement for new condominiums in these three markets will lie between 26,000 and 32,000 new units per year. This could represent 43% to 53% of all new housing in Toronto, Vancouver and Montréal, and 14% to 18% of all new housing in Canada. (Dunning, 2013)

However, it is not just the number of condominium projects that have caused concern. It is also building height, proximity to low-rise neighbourhoods, shrinking unit size, the prevalence of glass building envelope systems, and suspicion of rampant speculative activity that create concern among consumers and residents. Combine this with debates about congestion, transit and infrastructure, and housing intensification very quickly becomes part of a much larger conversation about city living and city building. If real, and if left unaddressed, these concerns could result in the creation of high-rise ghettos, development without neighbourhood context, tall building energy hogs, over-taxed infrastructure, and condo owners stuck in possession of stranded diminishing assets.

And while the amount of building activity across the GTHA has been unprecedented, it is no longer distributed in the same way. Ground-oriented new low-rise residential starts are more common on the periphery of the region. High-rise multiple residential starts appear in designated urban centres, transit corridors and downtown Toronto. The spatial separations previously put in place around planned suburban high-rise communities like Thorncliffe and Flemingdon Park no longer occur. The reform-minded elected officials and planners of the '70s knew they would see the end of "greenfield" development and began to

redevelop "brownfields" like the St. Lawrence Community, Niagara, the Railway Lands, Garrison Common, the West Don Lands, the Stockyards, the Port Lands, King-Spadina and King-Parliament. As **brownfield** sites disappear new proposals are spilling out onto the approximately 162 kilometres of "**Avenues**" identified by Toronto's planning department. Between 2011 and 2014, the City of Toronto received 126 site-specific mid-rise (four to 11 storeys excluding townhouses) development proposals – 60 on Avenues, and 66 downtown, on the waterfront and elsewhere. These Avenues – often referred to as "corridors" in Ontario planning documents like *Places to Grow* – are the roads adjacent, surrounding and crossing stable residential neighbourhoods. Mid-rise development will now occur anywhere.

At the same time, preservation of stable neighbourhoods remains a high-level objective of all local governments. Conflict occurs when new developments are proposed in the transition areas between stable neighbourhoods and the Avenues and corridors that run past, through and around them. This inescapable conclusion was underscored in 2004 by the senior planners of Ontario's upper- and single-tier municipalities when they wrote the Minister – at the launch of *Places to Grow* – a letter to offer their support while giving this advice: "A new planning approvals system is needed to facilitate growth in centres and corridors." (Regional Planning Commissioners of Ontario, September 2004)

However, the senior planners' advice was ignored. To complicate things further, the same density target of 400 people per hectare that the Province set for designated urban growth centres was also adopted for corridors and Avenues (Gary Wright, 2009). That meant there would be no distinction in targeted intensification for an urban growth centre, transit centre, growth corridor or **Avenue**. Nor

have studies been undertaken to show or describe how the density targets would look in the important transition areas between existing neighbourhoods and intensification sites that are most likely to spark controversy. Meantime, the product was changing:

- The average size of a Toronto new condominium unit has shrunk
- One-bedrooms have become the most common type of unit
- Proposed new condominium developments contain many more units than in the past
- The number of projects greater than or equal to 60 storeys has grown
- Glass window-wall systems have become very popular and raised concerns among some building science professionals about durability and energy efficiency
- Since 2010 there have been more than 30 incidents of tempered glass falling from balconies of new condominiums (The report of an "Expert Panel on Glass Panels in Balcony Guards" resulted in an amendment to the Building Code Act on July 1, 2012 that improved balcony design)

Yet there is no avoiding the reality that increased density and tall buildings have a great many defenders. The designs of star architects are admired and their work is taken as a sign of a maturing city and region. Intensification is considered to be a solution to the rising cost of infrastructure, an assurance for transit ridership, a way to keep downtown schools open, and a buttress for cultural activity. Columnists speak up for the industry, elite opinion rebukes residents who fight intensification, the CMHC has created a policy manual for local officials to argue the NIMBY

symptom, and panels of experts defend industry practices.



The Toronto Yonge Street corridor seen from the subway in 1981 – courtesy of Toronto Public Library.

PUBLIC POLICY

In Ontario most policy, legislation and regulation that affects density is based on the *Planning Act*, the *Building Code Act*, the *Municipal Act*, and the *Ontario New Home Warranties Plan Act*. For the purpose of this Consumer Perspective Panel report, the authority and targets affecting intensification that exist under the *Planning Act* will be addressed first – followed by discussion of municipal planning and other bodies.

PROVINCIAL

The *Planning Act*, administered by the Ministry of Municipal Affairs and Housing (MMAH) is the source, framework and authority for

intensification. The Act is currently supported by the *Provincial Policy Statement* that sets goals for land use planning, and a group of regional plans: the *Growth Plan for the Greater Golden Horseshoe*, the *Growth Plan for Northern Ontario*, the *Greenbelt Plan*, the *Oak Ridges Moraine Conservation Plan*, the *Niagara Escarpment Plan* and the *Lake Simcoe Protection Plan*. The *Growth Plan for the Greater Golden Horseshoe* defines the context for most of our discussion, in the legislated format of the *Places to Grow Act, 2005*. It is here in *Places to Grow* where we find the requirement that a minimum of 40% of new residential development should be directed to existing urban areas, by 2015, and where targets for minimum density, regional centres and corridors are to be found. An even larger body of plans, studies, goals and targets inspire all of these documents.

The first growth targets for municipalities in the region were set by MMAH in 1993 (Tomalty and Alexander, 2005). They were based on work MMAH began in 1988 when it created the Greater Toronto Co-ordinating Committee (GTCC), and the Office for Greater Toronto Area (OGTA), where elected officials and staff met and conducted research on growth and development. In particular, this work would be led or influenced initially in quick succession by:

- Ron Kanter's 1990 report *Space for All: Options for a GTA Green Strategy*, the foundation for all the greenbelt planning that exists in the region today
- David Crombie's 1990 *Watershed*, the report of the Royal Commission on the Future of the Toronto Waterfront and his 1992 *Regeneration*, the report of the Royal Commission on the Future of the Toronto Waterfront
- *Study of the Reurbanisation of Metropolitan Toronto, 1991*, by Berridge Lewinberg Greenberg

Ltd. prepared for the Municipality of Metropolitan Toronto

- John Sewell's 1992 *Commission on Planning and Development Reform in Ontario*
- The report of the task force on The Future of the GTA appointed in 1995 and chaired by Anne Golden. It's task was to reverse decline in Toronto's downtown, look at regional governance, finance and infrastructure
- The Greater Toronto Services Board (GTSB) created in 1999 to run GO Transit and promote regional transportation planning
- The 2001 Smart Growth Ontario Initiative, which in response led in 2003 to the creation of an independent Ontario Smart Growth Network
- The 2001 *Oak Ridges Moraine Conservation Act*
- A Central Zone Smart Growth Panel (in effect the GTA) that recommended a plan in 2003 for compact, transit-oriented growth based on 16 regional economic centres, linked corridors, and a rapid-bus system
- The election in 2003 of mayors and councils in Toronto, Guelph, Ottawa, Niagara, Kitchener and Hamilton who for the most part supported Smart Growth agendas
- *The Big Move* regional transportation plan for the GTHA approved and published by Metrolinx in November 2008.

Other provincial policies influence intensification. MGCS's review of the *Condominium Act*, announced amendments and new regulations to address governance issues. Infrastructure policies like asset management reporting and water pricing address the cost of development. And *Building Code Act* amendments address energy efficiency, water

conservation, durability and, perhaps in the future, climate change.

MUNICIPAL

Toronto is the largest municipality in the region, and the focus of this discussion. Immediately after amalgamation, the new city began an Official Plan (OP) process called *Toronto at the Crossroads: Shaping Our Future*, that was approved by council in 2002, and by the OMB in 2006. The OP must conform to the *Provincial Policy Statement, Places to Grow* and other Ontario policy statements. It is a statutory document. Other guidelines and policies that Toronto adopts are non-statutory, unless they are entered into zoning, though they may be influential.

Toronto has had Urban Design guidelines since amalgamation. They complement the OP and zoning with the purpose of fostering better architectural design. They include Toronto's *Tall Building Design Guidelines* (addressing "buildings with height that is greater than the width of the adjacent street right-of-way or the wider of two streets if located at an intersection"), which have been in force since May 2013. Begun as a trial in 2003, they were closely re-examined in 2006, and again in 2012. They are area-specific in the downtown, and non-statutory.

The *Avenues and Mid-Rise Buildings Guidelines* were adopted in 2010. They include several performance standards that are intended to focus much of what *Places to Grow* has identified for Toronto, in designated areas. The buildings themselves are to be no taller than the width of the street right-of-way, or five to 11 storeys. It has been estimated that another 250,000 people could be accommodated under the guidelines.

The *Toronto Green Development Standard* (TGDS) places LEED for New Construction criteria into a planning and regulatory frame of reference that the development community can use more easily than the LEED certification procedure itself. By transferring sustainable building principles into the application process, Toronto has been able to insist on obtaining lower-tier TGDS implementation for almost all residential projects. However, recent proposed changes to the 2017 Ontario *Building Code Act* have leapfrogged the energy efficiency levels of the TGDS, which will require a continuing re-examination of Tier 1 requirements.

These examples are for a single-tier municipality in southern Ontario. The two-tier municipalities that surround Toronto must also have conforming OPs that reflect their own intensification targets, zoning by-laws, and **secondary plans**. They are at work on intensification policies, too. Like Toronto's, these plans do not actually prescribe height, but minimum densities.

AGENCIES

Tarion Warranty Corporation – the independent, not-for-profit corporation that administers the new-home warranty program – has an immense role enforcing consumer protection measures in the province. There have been three discussions taking place among regulators that will have a significant outcome on large residential projects. Tarion looked at the the challenge of expanding coverage to condominium conversions, at the provincial government's request. In 2010, Tarion referenced the Pro-Demnity Window Wall Endorsement in its field review, and could alter its Bulletins once again – making field review more stringent. And Tarion has been asked to expand the term of its water penetration coverage, and make it similar to British Columbia requirements, which would cause developers and architects to reduce

their business risk by introducing different construction practices.

Metrolinx has an obvious role in promoting transit-oriented development. *Places to Grow* aimed its highest density targets at transit nodes and corridors, putting Metrolinx in a position to influence the direction and pace of development across the GTHA. *The Big Move* is a regional transportation plan that has identified 51 mobility hubs in the GTHA and Metrolinx works with municipal partners across the region.

The Toronto Waterfront Revitalization Corporation is expected to create up to 40,000 new housing units, on a mostly **brownfield** site, in a high-profile east-end location. It is known to have higher performance specifications than most private sector developments. The new neighbourhoods that it will create are treated by most observers as symbols of the best in city building policies. It predates *Places to Grow* by more than five years.



4

RECOMMENDATIONS

Over the course of many months, the panel met and often on a subject basis received presentations from invited guests, visited a large development project, and conducted discussions on a number of topics. From these discussions emerged these 24 recommendations that the panel requests the Consumers Council of Canada present to policy-makers. (If there was no consensus among the 12 panel members – as often happened given the complexity and scope of the topics – then approval was withheld. A summary of those discussions is also below.) The panel’s recommendations are wide-ranging, and a rationale is presented in every instance. To better explain the direction of the panel’s discussion, its recommendations are presented under four headings.

First, whether they happen to be owners or tenants, consumers must better inform themselves, and be better informed in turn, about aspects of high-density living and intensification that will create sustainable communities.

Second, provincial and municipal planning policies must adapt faster in the shift to high-density living and intensification of lifestyles.

Third, there is a great need to retrofit existing high-rise residential buildings, and demonstrate the better building performance of new ones.

Fourth, affordable housing of all types and forms is required to provide more options for consumers.



One Cole Street is set against a mix of forms and densities – courtesy of Diamond Schmitt Architects.
Photographer: Elizabeth Gyde

MORE & BETTER INFORMATION ON HIGH-DENSITY LIFE

RECOMMENDATION 1

The Government of Ontario should create a new list of condominium owner rights and responsibilities, and ensure that it is widely distributed in consumer and trade publications, for display in condominium buildings, and online.

Rationale: The *Condominium Act, 1998* presently describes how a unit owner may vote at condo corporation meetings, elect a board, review corporation records, request a meeting of the corporation, and ask for certain undertakings. In addition, an owner is also responsible for the payment of fees, maintenance, observing the rules of the corporation, and participating in the affairs of the corporation. These rights and responsibilities have existed since passage of the first Act in 1978, and are also found in other jurisdictions. During the recent consultation on the modernization of the Act, there was discussion about new rights: safety, security, access to information (such as depreciation reports), requirements for insurance coverage, permission to own pets, and a smoke-free environment. And for the first time the application of the rights and responsibilities of unit owners to tenants was also addressed. The

current list of rights and responsibilities should be expanded to reflect changed realities like expanded reporting requirements, the large number of tenants occupying investor-owned units, and the effects of secondary smoke; and the experience of some residents during ice storms and power failures who were left isolated and vulnerable. This new expanded list should be widely distributed.

RECOMMENDATION 2

When amending *The Condominium Act, 1998*, the Ontario Ministry of Government and Consumer Services should incorporate similar requirements for information disclosure prior to closing the sale of a new condominium, as found in British Columbia's *Real Estate Development Marketing Act (REDMA)*.

Rationale: The *REDMA*, in force since January 1, 2005, has had a positive impact on consumer rights by requiring that a developer disclose every material change in a new condominium prior to closing the sale of the unit. Over the last decade, the amount and extent of marketing disclosure has been well defined and tested in British Columbia through experience, case law, and recent amendments to the legislation. This has included updates on methods of required communication, details of construction commencement and completion dates, and clarification of the use of multiple or staged building permits. The *REDMA* now serves as an example for Ontario.

RECOMMENDATION 3

The Ontario Ministry of Government and Consumer Services (MGCS) should continue to conduct research on condominiums and condominium residency.

Rationale: During the recent review of the *Condominium Act, 1998* new research was conducted for MGCS that provided both insight and information during each stage of consultation. We note that there was lengthy discussion of the role and number of owner-occupants and investor-owners, multiple ownership of units, and foreign ownership of units, and what impact this could have on condominium governance. Other important impacts were noted for tenant rights, the application of rent control, housing affordability, and inclusionary zoning. Over and above the research provided for this policy-based discussion – which will require updates – there is also a lack of information as simple and basic as the average size of a new condominium. The growth of the condominium market requires dedicated research resources, and the MGCS is well suited to lead such an initiative.

RECOMMENDATION 4

New and returning directors of condominiums should be provided with an introduction to building operations, maintenance and energy efficiency, as part of their mandatory training.

Rationale: There are proposals that a new Ontario condo office authority provide mandatory training for first-time condo directors on their roles and responsibilities as directors. In addition to their fiduciary responsibilities, new condominium directors should also be introduced to some practical aspects of building operation and maintenance, as well as energy efficiency. Instruction on these topics will help directors in important areas like contract administration, risk analysis, capital planning and asset management.

RECOMMENDATION 5

Condominium residents and tenants should be provided with building maintenance information similar to that created by the British Columbia Ministry of Housing Homeowner Protection Office (HPO) working with the Condominium Home Owners Association of BC (CHOA), industry, the building science community and educators.

Rationale: In BC, a print and video series called “Maintenance Matters” was developed by the HPO for residents of multiple residential buildings that is designed to provide practical information on the building envelope, regular maintenance needs, and the hiring of professionals. Working with CHOA, the HPO also runs consumer seminars, performs a “Survey of Consumer Satisfaction and Awareness”, and has created the *Guide for Managing a Renewals Project in Multi-Unit Residential Buildings*. All of this material is relevant to owners and tenants in multiple residential buildings in Ontario, and the rest of Canada, and should be made available here.

RECOMMENDATION 6

The MGCS, Tarion, condominium associations, property managers and everyone else who works in the sector should seek opportunities to partner on policy and building performance research.

Rationale: The BC Homeowner Protection Act 1998 has three objectives: “(a) to strengthen consumer protection for buyers of new homes, (b) to improve the quality of residential construction, and (c) to support research and education respecting residential construction in British Columbia.” The third objective in the BC act has led to a research collaboration across sectors that Ontario should

emulate. In this way, benefits and knowledge would be spread across the housing sector. The HPO “Building Excellence Research & Education Grants” open every fall and has supported the production of CHOA information programs and the valuable “Maintenance Matters” series. Other partners have included the British Columbia Institute of Technology, Building Officials’ Association of BC, CMHC, Canadian Home Builders’ Association of BC, Concordia University, DuPont, FPInnovations and Polygon.

RECOMMENDATION 7

A new Ontario condo office or authority should continue to investigate how tenant participation in condominium affairs can be enhanced.

Rationale: It is widely accepted that the investor market for condominiums has been filling the need for new rental stock in major Ontario centres for many years. The consultation process for the *Condominium Act* renewal highlighted a range of issues that concern owners, tenants and governance issues. The increasing proportion of renter occupants must be addressed – even after the proclamation of the new Act – and in the establishment of the two new delegated administrative authorities.



Sugar Beach is an example of recreational use for all ages – courtesy of Waterfront Toronto.

PLANNING ADAPTED TO HIGH-DENSITY & INTENSIFICATION

RECOMMENDATION 8

Ontario municipalities should ensure that their Official Plans and zoning bylaws are up to date.

Rationale: Legislative requirements under *The Planning Act* – that municipalities update their official plans every five years and that zoning be updated within the next three years – are not being met. When this happens it imposes pressure on residents and proponents of development alike, and results in delay and expense.

RECOMMENDATION 9

The Official Plans of Ontario municipalities should take note of or be amended to include municipal guidelines for urban design, tall buildings, mid-rise buildings, avenues, corridors and Metrolinx Mobility Hub Guidelines.

Rationale: Ontario municipalities have launched reviews, consulted widely and initiated many new guidelines, standards and policies for urban design, tall buildings, mid-rise buildings, avenues,

transportation corridors and hubs. However, it is a rare occasion when they are found in plans or zoning – notwithstanding the time and money that has been invested in them. The failure to make use of the good work that goes into these efforts has contributed to the public’s misunderstanding of the planning process, and to their loss of confidence in planning outcomes. We also must point out the close link between Official Plans and zoning, and transit planning and housing, that Metrolinx “Mobility Hub Guidelines” will contribute in the future. And that school boards, Community Care Access Centres and other social service providers have an important role to play.

RECOMMENDATION 10

The Province of Ontario should provide the means to speed development reviews and approvals by allowing municipalities to pre-designate, pre-zone, modify site plan approvals and/or introduce a development (community) permit system.

Rationale: It is only a short time ago that Ontario introduced tools that would streamline the land use planning system. Many remain unfamiliar with these tools, and there may not be complete agreement over their advantages, but there are ideal opportunities – especially along transportation corridors – where pre-designation and zoning support a multitude of objectives, including housing affordability. For example, expanding transit networks in the GTHA will create almost 70 more stations (sometimes called hubs) that are excellent sites for affordable housing – regardless of tenure. Consumers will benefit from choices such as these.

RECOMMENDATION 11

Ontario Growth Secretariat of the Ministry of Municipal Affairs and Housing should create a new series of GTHA density case studies for presentation to both municipal and community councils, and the public.

Rationale: The Ontario Ministry of Infrastructure funded the publication of 10 density case studies as background research during the development of the *Growth Plan for the Greater Golden Horseshoe*. They were all released in 2012 – too late to influence many who participated in the *Places to Grow* initiative. Nevertheless, they contain excellent work. The existence of the studies should be more widely publicized, and they should be updated with greater focus on avenues, urban centres, transportation corridors and Metrolinx mobility hubs.

RECOMMENDATION 12

Municipal infrastructure asset plans – that are already required by the Province of Ontario – should be updated at the same time as Official Plans.

Rationale: The Province of Ontario in recent years has required municipalities to create asset management plans. The Province supports these efforts through the use of performance indicators, water conservation plans and similar instruments. It would be useful if official plans and asset plans were reviewed and updated within the same cycle so that stakeholder and public participation increases, links between the two plans are drawn, and there is greater accountability for their fulfilment.

RECOMMENDATION 13

The Official Plans of Ontario municipalities should promote affordable housing as a goal and take note of a broad range of design and tenure solutions.

Rationale: The panel is of the view that action must follow words. During discussion on this recommendation several first-hand examples were provided of municipalities in Ontario that have ignored the need for affordable housing choices and opted instead for higher value, open market choices, in their own land dealings.

RECOMMENDATION 14

Ontario municipalities should promote higher levels of building performance and sustainability through development charge rebates, and an expedited approval process.

Rationale: Ontario has set a high standard for building performance in its code and regulation process. It is supported by local approval and inspection performed by a well-trained and knowledgeable public service. Beyond code energy efficiency and sustainable building programs have received widespread public support, and the most successful of these programs are managed and delivered by industry. However, in Canada, the ability to regulate building codes and standards rests solely with the provinces (with the exception of three cities). Beyond code local incentives like the Toronto Green Standard (TGS) Tier 2 have achieved partial success, but as targets shift higher we see a need for new incentives, that are performance based. Development charge rebates and an expedited approval process are the types of incentive that fit this description. In particular, we recommend their use for 1) a new beyond code TGS

Tier 3 level that will take building performance higher, and 2) to bring new investment to designated priority neighbourhoods. Area-based development permit bylaws have been recently approved by the province and should be encouraged. The City of Toronto planning department has determined that the TGS contributes to a reduction in greenhouse gas emissions and energy conservation, and avoids infrastructure costs in the service categories of water, sanitary sewer and stormwater management. Toronto's cost benefit analysis identifies economic benefits in avoided infrastructure and air quality related health costs, so these incentives are not subsidies. Such analyses should be repeated to advance sustainable building performance.

RECOMMENDATION 15

The decisions of municipal design review panels should become part of the Official Plan approval process.

Rationale: Municipal design review panels (DRP) in Ontario are made up of industry professionals who provide their expert opinions and guidance in an impartial manner. Design review panels are not found in every municipality, and are typically consulted – where they do exist – only on development proposals that are significant and for rezoning. Given these limitations, the panel does not recommend that DRP decisions be incorporated into official plans. It wants GTHA municipalities without DRPs to permanently establish them; and official plans, councils, staff and the OMB to take note of their decisions. Consumers' experience of the built environment will be greater appreciated if the work of DRPs becomes more widespread.

RECOMMENDATION 16

Ontario municipal planning rationales should include the provision of affordable housing for families that include a broad spectrum of unit sizes.

Rationale: The panel is aware that some municipalities have considered a requirement that large developments include a fixed percentage of three and four bedroom units, or units capable of conversion to three or more bedrooms. Some municipalities have also considered official plan amendments that require the provision of a full range of housing. Other options include the reduction of charges and levies and the direction of Section 37 funds. The panel believes that there is more than one solution, but the need to achieve a full range of housing must be established as a first principle.



An infographic illustrates the principle features of a TowerWise retrofit project – courtesy of Toronto Community Housing and the Toronto Atmospheric Fund.

RETROFIT OLD TOWERS, DEMONSTRATE PERFORMANCE OF NEW

RECOMMENDATION 17

Ontario should create a provincial deep energy retrofit program for residential high-rise buildings and support municipalities that make use of Local Improvement Charges to finance this form of building renewal.

Rationale: A report released by the Growth Secretariat in 2010 established that the post-war development of residential high-rises in Ontario was unique, and that these neighbourhood clusters represent a significant opportunity for renewal. The Toronto Tower Renewal program is a good example of a deep energy retrofit scheme that should be expanded. In Ontario, municipalities may use Local Improvement Charges (LIC) to undertake work on privately owned property, with willing property owners, on a variety of capital projects. High-rise retrofit is a good candidate for these charges. The province could support environmental, economic and social renewal of Ontario's high-rise residential building stock by working with cities to combine LIC financing with grants, interest-rate buy-downs or loan guarantees for qualifying projects.

RECOMMENDATION 18

Three important Ontario tall building directives – Tarion Builder Bulletin 19R “Condominium Projects: Design and Field Review Reporting”, Pro-Demnity Insurance Co. “Window Wall Endorsement” and recommendations of the Canadian National Window Wall Association – should all be aligned.

Rationale: The market, design know-how and local manufacturing capability have all combined to make window-wall assemblies commonplace in southern Ontario. In response to this trend, the mandatory new-home warranty provider (Tarion) and the largest professional liability insurer of Ontario architects (Pro-Demnity) have come to similar conclusions about design, and field review of window-wall installation. This panel – out of concern for the long-term durability of the building envelope – feels that the recently formed Canadian National Window Wall Association should now add its voice to a set of design and installation requirements that all three groups will support. (Other building envelope components like sealants and balcony materials should be approached in similar fashion.) The panel believes there is more than one way that this can be accomplished. For example, best practice guides for workmanship, installation and design could be created. Plant quality certification is a quality assurance system used by manufacturers in other building product industries. And third-party product certification has been employed for years in the glass industry. Likewise, a warranty approach might consider an extension of Tarion’s water penetration feature beyond two years. Or, as is done in BC’s coastal climate zone for non-Part 9 residential buildings, there could be a requirement that recognized building envelope consultants perform field reviews. A regulatory approach could insist on a

letter of assurance by a building envelope specialist, prior to the issue of a building permit.

RECOMMENDATION 19

The Province of Ontario should require that energy benchmark ratings be published for large multi-residential and non-residential buildings.

Rationale: The successful launch of BOMA BESt® and the more recent arrival of ENERGYSTAR Portfolio Manager in Canada provide the tools to successfully implement energy benchmark ratings for all large buildings. Action on energy benchmark rating by the province will give consumers greater choice, and provide better information on the state of repair of the building stock.



Village at Guildwood by Options for Homes is an example of affordable home ownership – courtesy of Options for Homes Non-Profit Corporation.

BUILD AFFORDABLE HOUSING

RECOMMENDATION 20

The Province of Ontario should add the creation of affordable housing to the objectives of all its agencies and crown corporations.

Rationale: The decision by the governments of Canada and Ontario to extend the federal–provincial Investment in Affordable Housing (IAH) program is laudable and sets an example for all their agencies that may have dealings in land. One feature of the IAH is an annual report on outcomes that would provide a good example of the type of reporting that agencies and crown corporations should provide on their efforts to encourage affordable housing.

RECOMMENDATION 21

All governments should ‘lead by example’ and ensure that land sold by any public agency that is to be developed for affordable rental housing should either 1) have 20% of units rented at 80% of average market rents, or 2) have land sale funds placed

in a capital fund for the development of affordable rental units at 80% of average market rents.

Rationale: The panel firmly believes that all governments should 'lead by example' and that the formula in our recommendation is attainable. A benchmark of 80% of average market rent is a longstanding definition of affordable rent accepted by housing providers. It is also clear that this proposal represents neither a rent supplement collected by a housing entity, nor a rent allowance collected by an individual. It is meant to be a permanent addition of affordable units to the rental stock.

RECOMMENDATION 22

In addition to rent and income, affordable family housing should be defined by these five criteria: 1) unit design 2) building design 3) building management 4) access to public space and 5) access to community services.

Rationale: The panel believes that affordable family housing should not be defined by rent and income alone, but by additional criteria. For example, the number of bedrooms in a unit and its area is frequently referred to but not amenities. Building management must be accommodating to children. The public realm that surrounds buildings and community services must also support families. (Battery Park was an example considered by the panel.)

RECOMMENDATION 23

The Province of Ontario and City of Toronto should champion more responsive planning solutions like Regent Park that create affordable market and not-for-profit housing.

Rationale: Regent Park is Canada's oldest and largest public housing project and the changes examined by the panel are a good example for other jurisdictions. Toronto Community Housing's revitalization has created a mixed-use community with daycares, community agency space, a learning centre, employment hub, improved safety and security of residents achieved through design, and retail and commercial space. Developer partnerships, the encouragement of replacement private owner units, increased density, public transit, amenities and selection for the Equilibrium™ Communities Initiative are examples to be followed elsewhere.

RECOMMENDATION 24

The Government of Canada and the Province of Ontario should change new rental apartment tax treatment, take steps to lower land costs, and ensure that these savings are passed on to consumers of rental housing.

Rationale: Municipal tax rates for rental properties are on average twice as much as houses and condos and drive up the price of rents. Other tax measures make building rental property more expensive and less attractive to businesses. The GST payment on new rental housing can no longer be justified. Small incorporated landlords are not taxed at the small business tax rate.



The Hampton Court apartment complex, aka “The Bayview Ghost”, sat unfinished from 1959 to 1981, as a result of disagreements – courtesy of Wikimedia.

AND WHERE CONSENSUS WAS NOT FOUND

It will come as no surprise – given the broad scope of issues and policies that the panel discussed – that there was no consensus or resolution on all topics. Each of the approximately 20 other proposals that the panel addressed – on which no consensus was achieved – merited debate. They doubtless require further discussion and research, and the Council or another body should raise them again in the future. Here is a short review and description of the issues on which no consensus was achieved.

The panel was aware that both the Province and City of Toronto were engaged in broad consultations on the renewal of the *Condominium Act*. While the panel was able to make recommendations in several areas, it was unable to reach consensus in the following areas. There was no agreement on whether or not the qualifications of condominium directors should be defined in regulation, or the minimum number of directors that should serve on a board. The panel was aware that proposed amendments to the *Condominium Act* could shift some responsibilities to a delegated administrative authority, but it could not agree whether or not these responsibilities should remain in an office at MGCS, go to an existing regulator like the Real Estate Council of Ontario, or (as it happened) a new authority.

Panellists were also aware of the proposal to create civil dispute resolution tribunals, but could not agree whether this would prove to be an expensive proposal, or how these tribunals should be monitored. And the panel could not agree on whether or not both property managers and property management companies should be licensed. Members had discussions about the growing shortage of trained property managers, the accuracy of new condominium projected operating costs, and whether another review of the industry should take place soon, but no recommendations on these topics were proposed.

A great deal of attention was paid to planning issues, but no consensus was achieved on a recommendation that all Ontario municipalities mandate building standards equivalent to the Toronto TGS Tier 1. (Toronto is unique in this respect.) Some panel members asked that all Section 37 applications and decisions at councils be made public. And there was disagreement over whether or not the decisions of municipal DRPs should become part of the official plan approval process. On the matter of reforming the Ontario Municipal Board, members of the panel hold a variety of opinions. Panel members are watching and waiting like other Ontarians to discover what the outcome of the debate on Bill 73, *Smart Growth For Our Communities Act, 2015* and proposed amendments to the *Planning Act* and the *Development Charges Act* will reveal.

Under the heading of building performance, a suggestion that energy efficiency and green building certification programs that are currently voluntary be made a requirement was rejected. And a related proposal that certification be a requirement for public housing organizations was also rejected. The panel discussed whether MGCS should create a series of communication pieces for condominium and apartment residents about

durability, building performance and energy use, but could not agree. There was also disagreement over whether a long-term warranty – that exceeds current Tarion provisions – should be sought.

There was a proposal that municipalities could achieve a better housing mix if approvals of low- and mid-rise multi-residential projects were streamlined in existing single-family neighbourhoods. It was rejected. This sparked a discussion on the role that local residents' associations have played and continue to play in the development process. Residents' active participation in local planning is important and sought after; however, their mobilization too often occurs only when a perceived threat looms over their neighbourhood. Residents' response to development proposals is sometimes condemned by elite opinion leaders, and sometimes courted. There is no consistency on either side.

And the panel was frustrated by the lack of good information about the cost of land. Members were individually aware, and reminded by guest presenters, that land is an important contributor to housing costs and a factor in every project's calculation of height and number of units. Members heard that there are many potential land sites – under public ownership and in brownfields – that could be made suitable for housing if greater efforts were undertaken. And that there was speculative activity. A closer look at land costs and availability is essential.



The Daniels Spectrum in Regent Park includes performance and rehearsal space – courtesy of Diamond Schmitt Architects. Photographer: Lisa Logan

CONCLUSION

The objective of this report has been to educate and inform the reader about those factors in the GTHA that have caused rapid intensification, the consumer interest in housing, and ultimately those decisions to purchase or rent a home in a new or existing neighbourhood that offers sustainability, access to services and personal satisfaction. The panel and the Consumers Council of Canada have both assumed that issues like housing affordability, building performance, urban planning, condominium maintenance and governance are connected to consumers' perceptions about intensification, in addition to some others not discussed here. This process and the recommendations leading from it are not exhaustive of the topic. In fact, we expect and hope this effort will lead to a broader discussion of the issues.

We have set out a matrix of consumer interests and provided examples of issues, events and policies that informed individuals can use in their personal research. Several links to information sources, a bibliography and glossary will act as further aids to groups and individuals.

The panel and the Council now invite the reader to [provide feedback](#), so that we may improve the marketplace for consumers in complete and sustainable neighbourhoods.



5
RESOURCES

RESOURCES I – DURABILITY, SECURITY & RESILIENCE

100 Resilient Cities

www.100resilientcities.org/ was created by the Rockefeller Foundation to assist cities in meeting the physical challenges of the 21st century.

British Columbia Homeowner Protection Office

www.hpo.bc.ca is a branch of BC Housing that (among many other things) carries out research and education that benefits the residential construction industry and consumers.

Canada Green Building Council

www.cagbc.org members want to transform the built environment primarily through its delivery of the Leadership in Energy and Environmental Design (LEED) rating system

Canada Mortgage and Housing Corp. (Green Housing)

www.cmhc.ca/en/co/grho/index.cfm has met Canadians' housing needs for more than 65 years by becoming the country's housing authority.

Centre for Urban Growth and Renewal

<http://cugr.ca/> is a non-profit research organization whose first major research publication was "Tower Neighbourhood Renewal".

Coalition d'aide aux victimes pyrrhotites

<http://cavp.info/> was founded in 2009 to advocate for compensation and repair of properties affected by pyrrhotite, an iron sulfide that causes heaving and cracking when it crystallizes in concrete.

EnerQuality

www.enerquality.ca is the largest certifier of energy efficient homes in Canada.

Green Infrastructure Ontario Coalition

www.greeninfrastructureontario.org is an alliance that focuses on urban agriculture and forests, green roofs, stormwater systems and natural heritage.

Infrastructure Ontario

www.infrastructureontario.ca is a Crown corporation that provides a wide range of services to support Ontario's initiatives to modernize and maximize the value of public infrastructure and realty.

Institute for Catastrophic Loss Reduction

www.iclr.org/home.html is a world-class centre for multi-disciplinary disaster prevention research and communications that is located in Toronto.

Ontario Association of Architects

www.oaa.on.ca is a self-regulating organization governed by the Architects Act, which is a statute of the Government of Ontario.

Ontario Building Envelope Council

www.obec.on.ca bridges the gaps among the architectural, engineering, research, manufacturing and construction communities in building science education.

Real Estate Council of Ontario

www.reco.on.ca regulates real estate professionals on behalf of the Ontario government and protects

Chapter Photo: An aerial view of the Regent Park revitalization project – courtesy of Toronto Community Housing.

the public interest through a fair, safe and informed marketplace.

Tarion Warranty Corporation

www.tarion.com administers and enforces the Ontario New Home Warranties Plan Act and Regulations.

Toronto City Planning

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=ae9352cc66061410VgnVCM10000071d60f89RCRD&appInstanceName=default> plays the leadership role in implementing the City's Official Plan.

Toronto Community Housing Corporation

www.torontohousing.ca is the largest social housing provider in Canada and the second largest in North America.

Toronto Green Standard

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f85552cc66061410VgnVCM10000071d60f89RCRD> is a two-tier set of performance measures for sustainable site and building design.

Toronto Tower Renewal

www.towerrenewal.com is an initiative of ERA Architects and several partners to re-examine the place and potential of the City's post-war high-rise buildings.

RESOURCES II – AFFORDABILITY & FORM

ABC Residents Association

www.abcra.ca is a Toronto volunteer organization in the community between Yonge Street west to Avenue Road and Bloor Street north to the CPR tracks.

Bountiful Films

www.bountiful.ca produced “The Condo Game” aired November 21st, 2013 on CBC’s *Doc Zone*.

Canadian Home Builders’ Association

www.affordability.ca is the voice of Canada’s residential construction industry and this page provides information on one of its core founding principles.

Canada Mortgage and Housing Corporation

www.cmhc.ca/en/inpr/afhoce/index.cfm has collected this information so that individuals and families can access affordable housing.

Canadian Observatory on Homelessness/Homeless Hub

www.homelesshub.ca is a web-based research library and information centre maintained by the Canadian Observatory on Homelessness.

Condo Owners Association

www.coaontario.com is a Toronto based non-profit association that represents owners of residential and commercial condominiums.

Condominium Home Owners Association of BC

www.choa.bc.ca is a non-profit association that promotes the understanding of strata property living and the interests of strata property owners.

Co-operative Housing Federation of Toronto

<http://chft.coop/> represents more than 45,000 people living in over 160 non-profit housing co-operatives.

Evergreen CityWorks

www.evergreen.ca/our-impact/cityworks/housing/gta-housing-action-lab/ is a working group that supports housing affordability, intensification and encourages diversity in form and tenure.

Federation of Rental-Housing Providers of Ontario

www.frpo.org advocates for quality rental housing.

Ontario Ministry of Government and Consumer Services

www.ontario.ca/search/consumer-protection-when-buying-condo has compiled this guide to protect consumers when buying a condo.

Ontario Ministry of Government and Consumer Services

www.ontario.ca/page/proposed-condo-changes has proposed these changes to Ontario’s condo laws.

Ontario Ministry of Municipal Affairs and Housing

www.mah.gov.on.ca/Page9181.aspx is responsible for the province’s Long-Term Affordable Housing Strategy.

Ontario Non-Profit Housing Association

www.onpha.org is the voice of non-profit housing in Ontario.

RealNet®

<http://www.realnet.ca> delivers detailed research,

analyses and insights on commercial real estate and residential development markets.

Residential Construction Council of Ontario, Inc.
www.rescon.com is a unique association that caters solely to builder interests and issues.

Toronto Community Housing Corporation
www.torontohousing.ca is the largest social housing provider in Canada and the second largest in North America.

Toronto Design Review Panel
<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=869652cc66061410VgnVCM10000071d60f89RCRD> is made up of architects, landscape architects, urban designers and engineers who provide independent, objective advice to City staff.

Urbanation
www.urbanation.ca is the authoritative source for information on Toronto's condominium market.

RESOURCES III – SUSTAINABILITY & SERVICES

Canada Mortgage and Housing Corporation
www.cmhc.ca/en/inpr/su/index.cfm has collected this information about adaptable, durable, functional, resource-efficient and cost-effective housing.

Canadian Urban Institute
www.canurb.org is Canada's applied urban policy institute.

National Film Board's "A Short History of the Highrise"
<http://highrise.nfb.ca> is an Emmy-winning documentary that explores vertical living around the world.

Metrolinx Mobility Hubs
www.metrolinx.com/en/projectsandprograms/mobilityhubs/mobility_hubs.aspx are major stations where different modes of transportation connect that support high density activity.

Neighbourhood Change Research Partnership
<http://neighbourhoodchange.ca> is a research initiative focused on long-term trends relating to the urban impact of growing income inequality and socio-spatial polarization in Canada and cities in similar nations.

Neptis Foundation
www.neptis.org conducts and disseminates non-partisan research, analysis and mapping related to the design and function of Canadian urban regions.

Ontario Ministry of Municipal Affairs and Housing
www.mah.gov.on.ca/Page220.aspx leads government action on brownfields redevelopment.

Ontario Ministry of Municipal Affairs and Housing
<http://www.mah.gov.on.ca/Page187.aspx> is responsible for the protection of 1.8 million acres in the Golden Horseshoe area from urban development.

Ontario Places to Grow
www.placestogrow.ca/index.php is the government's program to plan for growth and development in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Ontario Professional Planners Institute
<http://ontarioplanners.ca> grants the RPP designation, governs the rights and responsibilities of its members, and sets academic, experience and examination requirements for membership.

OECD The Metropolitan Century
www.keepeek.com/Digital-Asset-Management/oced/urban-rural-and-regional-development/the-metropolitan-century_9789264228733-en#page1 is a report that provides an outline of recent and likely future urbanization trends.

Ontario Smart Growth Network
<http://smartgrowthontario.ca> is a volunteer organization that works to replace urban sprawl with compact, livable communities.

Ryerson City Building Institute
www.ryerson.ca/citybuilding/index.html is a multidisciplinary centre focused on issues relevant to city regions nationally and globally.

Toronto Atmospheric Fund

<http://taf.ca> invests in urban solutions to reduce greenhouse gas emissions and air pollution.

Toronto Foundation

<https://torontofoundation.ca> is one of Canada's largest charitable foundations with more than \$400 million under administration.

TomTom Traffic Index – Toronto

https://www.tomtom.com/en_ca/trafficindex/#/city/TOR measures traffic congestion.

Waterfront Toronto

www.waterfronttoronto.ca was created by the Governments of Canada and Ontario and the City of Toronto to deliver a revitalized waterfront.



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GLOSSARY

The following terms and definitions are presented to assist the reader. (A more complete local index can be found at the City of Toronto Planning Department’s City Planning A-Z Index here: <http://bit.ly/1av49BK>; as well as a Land Use glossary at the Ontario Ministry of Municipal Affairs and Housing here: <http://bit.ly/1geXnlb>). For the most part, they have been drawn from Government of Ontario and City of Toronto websites.

Avenue: In Toronto, the “avenues” are important corridors along major streets where re-urbanization 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. They amount to approximately 324 kilometres of property frontage. About 200 kilometres of this frontage can theoretically be redeveloped through mid-rise built form.

Brownfield: Land that was previously used for a commercial or industrial development that still holds development potential, but may suffer from some form of contamination.

Density: In the *Growth Plan*, “density” refers to the concentration of residents and jobs over a particular land area, in hectares.

Greater Golden Horseshoe: The “Greater Golden Horseshoe” is an urban region centred on the City of Toronto and stretching around the western end of Lake Ontario. The region covers approximately 3.2 million hectares or 12,355 square miles. It is made up of 21 counties, regions and separated cities, and altogether comprises 110 different municipal jurisdictions including: the cities of Barrie, Hamilton, Peterborough and Toronto; the

regional municipalities of Durham, Halton, Peel, Waterloo and York; and the counties of Brant, Haldimand, Northumberland and Peterborough.

Greenfield: Land that has not yet been built upon.

High-rise building: A “high-rise building” is a building that is 12 storeys or greater.

Intensification: In the *Growth Plan* “intensification” is the redevelopment of a property, site or area at a higher density than currently exists, including the reuse of brownfield sites; the development of vacant and/or under-utilized lots within previously developed areas; infill development, or the expansion or conversion of existing buildings.

Low-rise buildings: A “low-rise” building is less than three or four storeys in height.

Mid-rise buildings: A “mid-rise” building is five to eleven storeys or up to a height no taller than the right-of-way width of the street on which it is located. In Toronto, on the narrower 20-metre-wide streets in the downtown, a mid-rise is 5 or 6 storeys high. On the wider arterial streets outside of the downtown, a mid-rise may be taller up to a maximum of 11 storeys on the widest Avenues. The table below is taken from the *Toronto Tall Building Design Guidelines*, page 65.

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

Chapter Photo: The Daniels Spectrum exterior – courtesy of Diamond Schmitt Architects; Photographer: Elizabeth Gyde.

Assumptions:

1. R.O.W. widths are identified in Official Plan Map 3
2. Mixed Use heights assume 4.5m for ground floor and 3.0m from all floors above
3. Commercial heights assume 4.5m for ground floor and 3.0m for all floors above

Post-Occupancy Evaluation: A “post-occupancy evaluation” (POE) is the process of obtaining feedback on a building’s performance in use.

Secondary Plan: A “secondary plan” land use policy plan for a district or large neighbourhood within a municipality which provides more detailed land use policies and designations than those found in a municipal official plan.

Tall building: A “tall building” is a building that is generally taller than the width of the adjacent street right-of-way or the wider of two streets if located at an intersection. Most tall buildings in Toronto consist of three carefully integrated parts: a base building, middle and tower top, and are 12 storeys or greater.