



TORONTO STAFF REPORT

May 11, 2006

To: Planning and Transportation Committee

From: Chief Planner and Executive Director, City Planning Division

Subject: Design Review Panel Pilot Project

Purpose:

To report on the public consultation process and recommend implementation of the Design Review Panel Pilot Project.

Financial Implications and Impact Statement:

There are no financial implications for 2006. A submission for associated administrative costs will be included in the 2007 City Planning operating budget.

Recommendations:

It is recommended that:

- (1) The Design Review Panel Pilot Project be implemented for a test period in the proposed Pilot Areas according to the procedures outlined in Appendix A;
- (2) Staff carry out public consultation during the test period as part of the monitoring program outlined in Appendix A;
- (3) Staff be directed to include costs associated with the Design Review Panel Pilot Project in the 2007 City Planning budget submission in order to provide administrative support to this volunteer body;
- (4) Staff report back to the Planning and Transportation Committee at the conclusion of the test period with recommendations on whether to continue the Design Review Panel beyond the test period and, if so, any necessary changes to the procedures resulting from the test period or from changes to the Planning Act, City of Toronto Act and Improving the Planning Process; and

(5) Staff continue to consult with other City Divisions regarding the feasibility and required procedures for review of City projects by the Design Review Panel, as recommended by the November 2, 2005 communication to the Planning and Transportation Committee from the Beautiful City Roundtable entitled 'Infrastructure Projects – Design Review'.

Background:

After the conclusion of the City's June 2005 symposium entitled "Design Review; Toward a Made in Toronto Solution", City Council (December 5-7, 2005) directed City Planning staff to consult with key stakeholders on the development of the Design Review Panel Pilot Project and report back to the Planning and Transportation Committee on recommendations for such a Pilot Project.

Policy Objectives:

The purpose of the Design Review Panel Pilot Project is to implement the goals of the Official Plan and City Council's Beautiful City Initiative.

The Design Review Panel Pilot Project is a proposal to test the feasibility of a city-wide Design Review Panel for Toronto by establishing a panel to review new development in selected Pilot Areas (in each District of the City) for a test period of two years.

Design Review Panels provide professional, objective advice on matters of design that affect the public realm, including the design of proposed buildings, streets, parks and open spaces as well as new urban design policy, in order to help achieve and uphold standards of design excellence.

The Official Plan recognizes that high quality design of the City's built environment is an important public interest. In Chapter 3 'Building a Successful City', Section 3.1.1, The Public Realm, the Plan states:

"Good urban design is not just an aesthetic overlay, but an essential ingredient of city-building. Good urban design is good business and good social policy...This Plan demands that both the public and private sectors commit to high quality architecture, landscape architecture and urban design."

Good design of buildings, public spaces and their relationships to each other is fundamental to Toronto's economic success, competitive advantage and the quality of life of its citizens. Official Plan policies mandate a reinvestment in the City's built environment through setting goals for public and private development. Goals include achieving high quality architecture, landscape architecture and urban design to create new development that fits well with, respects and improves its context and the City.

A Design Review Panel for Toronto:

Design Review Panels make an important contribution to the development approvals process, but do not replace the process. Their input is integrated within the process to provide advice to City staff involved in development approvals. Panel members are design professionals who review development proposals based on Council approved criteria such as secondary plans and urban design guidelines.

Larry Beasley, Director of Planning for the City of Vancouver who has advised cities across North America on the establishment of Design Review Panels, commented on the role of Vancouver's panel in representing one of the significant factors of an effective development approvals process stating:

"We want a design based or biased commentary. The decision-makers later can try to balance all the other concerns, but we want the urban designers and the architects to give us a good crystal clear commentary about design."

This statement underscores the advisory role of Design Review Panels. Development approvals processes typically include input from various interests including technical advice from staff and community input. The addition of a Design Review Panel within the development approvals process of many cities serves to provide more comprehensive input throughout the process by including an independent, professional voice for matters of design which enhance the public realm. Their advice, along with community input, provides additional guidance for the City's decisions regarding development.

Design Review Panels in Other Cities:

Design Review Panels are used successfully by many cities in Canada and internationally to improve the design quality of buildings and public spaces. They exist in the United States in cities such as Boston and Seattle, in England and across Europe. Canadian Design Review Panels include the National Capital Commission in Ottawa and those of the Cities of Vancouver and Montreal. In Ontario, Design Review Panels have been established in the City of Ottawa and Niagara Falls. In Toronto, the Toronto Community Housing Corporation (TCHC) has established a Design Review Panel to review the current redevelopment of the Regent Park neighbourhood. As well, the Toronto Waterfront Revitalization Corporation (TWRC) has established a Design Review Panel to review the redevelopment of Toronto's waterfront.

Improving the Planning Process:

Public interest in a Design Review Panel for Toronto was also demonstrated through public consultation carried out by the Planning & Transportation Sub-Committee to Review the City's Planning Process. The Sub-Committee's September 29, 2005 report entitled Improving the Planning Process identified areas of improvement based on resident concerns and suggestions including the establishment of a Design Review Panel.

Beautiful City Roundtable:

Further to staff consultation with the Beautiful City Roundtable, a communication from the Roundtable to the Planning and Transportation Committee of November 2005 commented on the Design Review Panel Pilot Project initiative. The November 2, 2005 communication entitled 'Infrastructure Projects – Design Review' recommended that the City should lead by example by providing an opportunity for public projects to benefit from the Design Review Panel process. The Planning and Transportation Committee referred the communication to the Chief Planner and Executive Director to report to the Committee.

Comments:

Results of Public Consultation:

City Council (December 5 to 7, 2005) directed staff to carry out public consultation to develop the Pilot Project. To facilitate discussions a framework for the Pilot Project was developed based on an analysis of best practices from other jurisdictions with Design Review Panels and tailored to our local needs. The framework for public consultation discussion included symposium results, goals, principles, pilot area locations, length of the pilot period, monitoring program and procedures. As outlined below, some consultation discussions were specific to the concerns of the individual stakeholders and several themes which were common to the various groups emerged.

Consultation with the Public:

A consultation meeting with members of the public was held on February 13, 2006. Notice of the meeting was advertised to ratepayer associations, City Councillors, in a major newspaper as well as community bulletins. The meeting was attended by 50 people. The project description and presentation are available on the City's website.

Support was expressed for the Pilot Project as an initiative to facilitate good design of the built environment in the public realm. The importance of a transparent panel process was stressed including panel meetings which are held in public and publicly available minutes. It was discussed that the panel would play an advisory role in the development approvals process along with public input. Citizens spoke about the importance of ensuring that the panel would not diminish the role of public input in the development approvals process. They also stressed that their input would benefit from being aware of the panel's deliberations and that the panel would similarly benefit from having and understanding of public concerns. The monitoring program was discussed with suggestions for further public consultation during the test period. Types of projects to be reviewed by the panel were discussed and the importance of focusing design attention on development in the public realm was underscored. Citizens shared the concern of the development industry and design professions that the commentary of the panel should be based on Council approved criteria.

Consultation with the Development Community:

Staff met with members of the Greater Toronto Homebuilders Association on March 1, 2006 and March 31, 2006 as well as members of the Urban Development Institute and the Board of Trade Planning Committee on April 6, 2006. The three meetings were attended by a total of 67 people.

The development community stressed that the Design Review Panel should be well integrated within the schedule of development approvals process to avoid time delays. They spoke about the importance of coordination of staff from various Divisions who are involved in processing development applications with each other, the proponent and the panel. The panel was seen as a potential tool to support this coordination. Concern was expressed regarding cost implications of implementing changes resulting from the panel's review and it was recommended that experience and commentary of the panel members should be grounded in professional, practical experience of the complexities and economy of projects. Clarification was sought regarding required presentation materials and a recommendation was made to be mindful of their cost.

The development community shared the concern of the public and design professions that the commentary of the panel should be based on Council approved criteria and speak to the issue of how projects relate to and contribute to the public realm. This group shared the interest of the public, the design professionals and the Beautiful City Roundtable and City Processes Subcommittee that the City should lead by example by providing opportunities for public projects to benefit from the Design Review Panel. The development community shared the concern of the design professions and the Beautiful City, City Processes Subcommittee that the first stage of review by the panel should occur at the early, conceptual design stage. As well, they shared the other stakeholders' interest in involving the panel in reviewing new urban design policy. Project thresholds for review and the monitoring program were clarified.

Consultation with the Design Professions:

Staff met with members of the Ontario Association of Architects, Ontario Association of Landscape Architects and the Ontario Professional Planners Institute on March 2, 2006. The meeting was attended by 25 people.

Support was expressed for the Pilot Project initiative and the significance of the role of design in city-building was underscored. Design professionals showed enthusiasm for contributing a positive and constructive role in the development approvals process. This group shared the concern of the public and development industry that the commentary of the panel should be based on Council approved criteria. As well this group shared the interest of the other stakeholders that the panel's review should speak to the issue of how projects relate to and contribute to the public realm and include new development and new urban design policy. The importance of integrating the panel within the development approvals process without adding time delays was stressed. The design professions shared the concern of the development community and the Beautiful City Roundtable, City Processes Subcommittee that the first stage of review by the panel should occur at the early, conceptual design stage.

Consultation with the Beautiful City Roundtable and City Processes Subcommittee:

Staff met with members of the City Processes Subcommittee on March 23, 2006 and with the Beautiful City Roundtable on April 24, 2006. A follow-up meeting with the subcommittee is scheduled for May 18, 2006 and with the Roundtable for June 19, 2006.

The City Processes Subcommittee expressed support for the Pilot Project and recommended that the City should develop a process for public projects to be reviewed by the panel in addition to private development. The Subcommittee shared the concern of the design professions and development community that the first stage of review by the panel should occur at the early, conceptual design stage. The importance of holding panel meetings in public with publicly available minutes was underscored.

The Beautiful City Roundtable supported the Pilot Project and requested an update about when the staff report would be submitted to the Planning and Transportation Committee. The Roundtable reinforced their earlier recommendation that the City should lead by example by investigating the feasibility and required procedures for City projects to be reviewed by the Design Review Panel.

Consultation with Other City Divisions:

City Planning staff have begun to consult on the recommendations of the City Beautiful Roundtable regarding City projects with staff in other Divisions including Parks, Water, Transportation, Technical Services and Facilities and Real Estate. Consultation with staff in other Divisions and future members of the panel would need to continue during the recommended test period to develop an appropriate process for incorporating the review public projects by the Design Review Panel.

Associated Costs:

Design Review Panel members are volunteer design professionals. Costs associated with the Design Review Panel Pilot Project include an additional staff position and administrative costs such as copying of submission materials. These costs will be identified as part of the 2007 City Planning budget submission.

Conclusions:

A great City needs great design to foster and sustain a high quality of life for its citizens, attract investment and remain economically competitive. Design Review Panels have been used in other cities with proven success to raise the design quality of the built environment by enhancing the development approvals process.

The Design Review Panel Pilot Project for the City of Toronto is a proposal to test the feasibility for incorporating a Design Review Panel within the development approvals process to fulfill the goals and objectives of the Official Plan and City Council's Beautiful City Initiative. Implementing the Pilot Project for a test period of two years will provide an opportunity to test this initiative and incorporate improvements to the procedures. It is proposed that staff would report to the Planning and Transportation Committee on how best to tailor the Design Review Panel tool to Toronto's needs at the end of the test period.

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List of Attachments:

Appendix A: Design Review Panel Pilot Project – Procedures
Appendix B: City of Toronto Symposium, June 2005; “Design Review; Toward a Made in Toronto Solution”

Appendix A Design Review Panel Pilot Project - Procedures

The following Procedures have been developed based on analysis of best practices of other cities with Design Review Panels and in response to input from the public consultation process to address local needs.

Goals:

The goals of the Design Review Panel Pilot Project are:

To implement the goals of the Official Plan and City Council's Beautiful City Initiative,
To ensure that new buildings and public spaces demonstrate a high level of design and fit well within their context to contribute to Toronto's economic success, competitive advantage and the quality of life of its citizens,
To support creative design responses in new development,
To provide timely, consistent and effective advice within the development approvals process,
To help clarify urban design policy goals to development proponents and aid them in delivering projects that contribute good quality design to the public realm,
To foster an effective working relationship with the development industry, and
To broaden public discussion about design in Toronto to strengthen public input within the development approvals process.

Principles:

The Design Review Panel Pilot Project has been developed based on the following principles:

The panel's review will be objective, based on a current, Council approved planning and urban design framework,
One city-wide panel will be established for all Pilot Areas to ensure consistency of review,
The panel's meeting schedule will be integrated within the approvals process and administered to coordinate with the schedule of the Community Councils and other community meetings in order to provide timely review,
The panel will be composed of design professionals in good standing with their respective professional associations in order to provide independent review,
The Pilot Project will be defined by stated Pilot Area boundaries and project threshold criteria,
The deliberations of the panel will be held in public with minutes posted on the City's website in a timely fashion in order to enhance the transparency of the planning process and support public knowledge and discussion of development issues, and
The Pilot Project will be monitored and its procedures improved as opportunities are identified during the test period.

Length of Test Period:

The Pilot Project is proposed for a test period of two years to allow for sufficient monitoring and refinement of the procedures.

Pilot Areas:

Review by the Design Review Panels is proposed for areas where growth has been planned for in the Official Plan. Selected Pilot Areas have a current and in-force regulatory framework approved by Council, including secondary plans and urban design guidelines. Pilot Areas include areas in each District of the City which are currently experiencing development pressure and where development is anticipated to continue. Proposed Pilot Areas include the North York Centre in the North York District, The Fort York and Liberty Neighbourhoods in the Toronto and East York District, the Scarborough City Centre in the Scarborough District and the Humber Bay Shores in the Etobicoke York District.

Project Thresholds:

The panel will provide advice on new rezoning and site plan applications. These types of applications, by definition, rule out single family houses and interiors, and it is not intended that they would be reviewed by the panel. Additionally, the selected Pilot Areas imply a review of large scale projects. The panel will also provide advice on new urban design policy which applies to the Pilot Areas, as part of the consultation process. The test period is an opportunity to determine what thresholds are appropriate for projects that are reviewed by the panel to ensure the best use of resources. Criteria for project thresholds include size, location, prominence and visibility of the proposed development.

Integration within the Development Approvals Process:

The Design Review Panel Pilot Project has been developed to integrate within the existing development approvals process. It is recognized that the approvals process may change as a result of the Improving the Planning Process staff report scheduled to go to City Council on May 25, 2006. The principles for integrating the Design Review Panel within the development approvals process would also apply to the new, proposed process and any process changes that may be made as a result of changes to provincial legislation. The principles for integrating the Design Review Panel within the development approvals process include a two stage review of development proposals. Research of other city panels has shown that the best opportunity for improvement of proposed projects is for the panel to review projects at an early conceptual design stage. Various stakeholders have also underscored the validity of this principle as part of the consultation process. The first review would occur early in the design process, followed by a second review once revisions to the development application have been made. The intent of the Pilot Project is to test the effectiveness of the Design Review Panel at different stages of the development approvals process, with different types of projects and in different areas of the City in order to learn and tailor the procedures to local needs.

Submission Materials:

To ensure a cost effective submission process for proponents, submission requirements for the panel are the same as those required for site plan and rezoning applications as well as a model that will show the context and general massing of the proposal.

Panel Makeup:

Panel members will be volunteer design professionals. The panel will be composed of twelve members including one chair, and seven members will constitute quorum. The mix of design professionals will include six architects, three landscape architects, two professional planners, architects or landscape architects with expertise in urban design and one structural engineer. Once sustainability policies are developed by the City and approved by Council, criteria for the structural engineer panel member will include specialization in sustainability. Requests for expression of interest for panel members will include criteria to ensure an appropriate mix of professionals including those with an expertise in construction of large scale projects to ensure that the panel's deliberations will have a basis in practical and economic considerations in addition to high calibre design expertise.

Panel members will serve a two year term which coincides with the term of the test period. If the panel is incorporated within the development approvals process for a longer term half of the panel will be renewed on an annual basis.

Panel member selection is based on the selection procedures of other Canadian cities such as Ottawa and Vancouver. Nomination will be made by the respective professional associations; the Ontario Association of Architects, the Ontario Association of Landscape Architects, the Ontario Professional Planners Institute and Professional Engineers Ontario. Professional associations will put out requests for expressions of interests to their members based on criteria described above. In their role as regulating bodies, professional associations will ensure that members who express interest in serving on the panel are in good standing. City staff will nominate panel members from expressions of interest to ensure an appropriate panel membership mix, according to the above criteria, and make recommendations for approval by City Council.

Conflict of Interest:

Each member of the panel has the duty to advise of any conflict of interest with respect to development applications being reviewed by the panel. In this regard, the Municipal Conflict of Interest Act will apply and the panel member shall decline to participate.

Meetings:

Panel meetings will be attended by City Planning, Technical Services and Transportation staff involved in processing the development application. Planning staff will make a brief presentation to provide the panel with an understanding of the planning and technical analysis and community context including comments from any public meetings held in relation to the project. If public meetings are held after the meeting of the panel, the comments of the panel will be represented at

the public meeting by City staff. The proponent and their design consultant will have an opportunity to make a brief presentation to explain the project objectives and how it responds to the City's urban design policy. Following staff and proponent presentations the panel will have the opportunity to ask questions of clarification before beginning their deliberations. The panel will have advance access to and will be asked to become familiar with the regulatory framework and urban design policy of the Pilot Areas. Submission materials for projects to be reviewed will be compiled and sent to panel members to review prior to the meeting to ensure their familiarity with projects.

Review Considerations:

The panel's commentary will be based on Council approved urban design policy. The role of the panel is to help interpret the policy for specific sites and projects and point out areas of concern that need to be resolved with regard to an appropriate contextual response, good fit, contribution to the public realm. Terms of reference for review considerations will be developed during the test period.

Schedule:

To ensure that the panel process is well integrated within the development approvals process meetings will be held on a monthly basis. The meeting schedule will be tied to the schedule of Community Councils to ensure that projects move through the approvals process in a timely fashion. The meeting schedule will be monitored during the test period and adjusted if necessary.

Monitoring Program:

An important aspect of the Pilot Project is the refinement of the panel's process and evaluation of its feasibility for Toronto during the trial period. Monitoring will include collecting feedback from applicants and design consultants whose projects are reviewed by the Design Review Panel. Additionally, consultation with stakeholders will be continued to evaluate any necessary changes to the Pilot Project procedures to meet the goals of this report.

Appendix B
City of Toronto Symposium, June 2005;
“Design Review; Toward a Made in Toronto Solution”

To explore the feasibility of a Design Review Panel for Toronto, City Planning held a public symposium in June 2005 entitled “Design Review; Toward a Made in Toronto Solution”.

Symposium speakers and panellists featured local stakeholder representatives as well as recognized national and international experts on design review, who are involved in the Design Review Panels of their respective jurisdictions.

Local speakers and panellists included:

Brigitte Shim, Shim Sutcliffe Architects, Faculty of Architecture Landscape and Design, University of Toronto, former member of the National Capital Commission, Ottawa

Alan Vihant, Vice President, Concord Adex Toronto

Cynthia Wilkey, South East Downtown Economic Redevelopment Initiative (SEDERI), West Don Lands Committee, Income Security Advocacy Centre (ISAC)

Allan Leibel, Co-Chair, Goodmans LLP

Joe Berridge, Partner, Urban Strategies, TWRC

Anthony Coombes, City Formation International

Michael Kirkland, Kirkland Partnership Architects, Niagara Falls Design Review Panel

National and International panellists and speakers included:

Larry Beasley, Director of Planning, member of the Development Permit Board, City of Vancouver

Adrian Sheppard, McGill University, Architecture and Urbanism Committee Chair, City of Montreal

Joanna Averly, Director of Enabling, Commission for Architecture and the Built Environment (CABE), England

David Carlson, Boston Civic Design Commission, Boston Redevelopment Authority

John Smit, Program Manager, Development Review for the Central District and Downtown Design Review Pilot Project, City of Ottawa

Local Councillors, the public and other stakeholders were invited to attend the symposium. Notice of the event was posted in a major newspaper, on public websites and broadcast on television. In addition, notice to specific stakeholders was given through professional and industry bulletins and publications. The public event was well attended by over 300 people and a portion of the proceedings was broadcast on live television. This event continued City staff's research of Design Review Panels in other jurisdictions and began the public consultation process.

Lessons learned underscored the effectiveness of Design Review Panels for ensuring high quality design of the public realm in other cities and the applicability of a Design Review Panel in our

local context. Through debate and discussion, the event demonstrated public interest in the exploration of this process for Toronto. Symposium proceedings are posted on the City's website.