



**STAFF REPORT
ACTION REQUIRED**

**Official Plan Five-Year Review: Urban Design Policy
Directions for Consultation**

Date:	July 3, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14113

SUMMARY

This report presents Official Plan policy directions in response to new and revised provincial legislation and urban design initiatives that will help inform future amendments to the Official Plan urban design policies, as part of the Five-Year Official Plan Review.

These policy directions will form the basis of public consultation prior to staff drafting the revised Official Plan policies. Staff will provide a further report to Council in the second quarter of 2015 summarizing public consultation outcomes and draft Official Plan policies on urban design. The policy directions arise out of initial public consultations in 2011, internal consultation with Community Planning, Urban Design, and Public Realm staff, a review of the City Council directions and an analysis of a number of Ontario Municipal Board decisions.

Urban design is an essential component of great city building and is fundamental to achieving the Official Plan goals. The proposed policy directions can be classified into four content clusters: (1) Seeing the bigger picture; (2) Prioritizing the public realm; (3) Guiding built form; and (4) Enhancing parks and open spaces. This report recommends that Planning and Growth Management Committee endorse the policy directions as the basis for consultation and that staff report back to Committee in the first half of 2015 on consultation outcomes and with draft urban design policies.

RECOMMENDATIONS

The City Planning Division recommends that:

1. The urban design policy directions described in this report be the basis for consultation.
2. City Planning staff schedule public open houses/meetings in different areas of the City and meet with key stakeholders including, but not limited to BILD, the Toronto Society of Architects, and ratepayers associations, to obtain comments and feedback regarding the proposed urban design policy directions.
3. City Planning staff report back to Planning and Growth Management Committee on the consultation outcomes and draft urban design policy amendments in the second quarter of 2015.

Financial Impact

The report recommendations will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

Five-Year Review of the Official Plan – Urban Design

In May 2011 the City initiated the Five-Year Official Plan Review as required by the *Planning Act*. Since its initiation, City Council has adopted Official Plan Amendments addressing Heritage, Housing, and Economic Health and Employment Lands Policies and Designations. City Council has also considered draft revisions to Official Plan policies on Transportation, *Neighbourhoods* and *Apartment Neighbourhoods*.

At its meeting on May 30, 2011, Planning and Growth Management Committee requested City Planning staff, among other matters, to include as part of the Official Plan Review policies to enhance public spaces, including rights-of-way, and to identify new public squares in key locations (Item PG5.2). The decision document can be accessed at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG5.2>

City-wide Tall Buildings Design Guidelines

At its meeting on May 7, 8, 9, and 10, 2013, City Council adopted the updated "Tall Building Design Guidelines" for use across the City in the review of tall building development applications (Item PG23.5). City Council also recommended that the Chief Planner report back to Planning Growth Management Committee on methods to strengthen the transition provisions from tall buildings to low density residential neighbourhoods following consultation with interested ratepayer groups. The decision document can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG23.5>

Avenues and Mid-Rise Buildings

At its meeting on July 6, 7, and 8, 2010, City Council considered the Avenues and Mid-Rise Building Study and Action Plan (Item PG39.9). Council requested that the Chief Planner incorporate eight matters into the Official Plan Review, five of which form part of the urban design policy review. The five matters are:

- a. a review and potential expansion of the Avenues identified on Map 2, Urban Structure Map, of the Official Plan and their underlying Land Use Designations;
- b. a review of the Avenue policies in Section 2.2.3 of the Official Plan and identification of any Official Plan amendments required to implement the recommendations of the Avenues and Mid-Rise Buildings Study, including the future role of Avenue Studies and segment studies;
- c. a review of the Built Form policies of Section 3.1.2 of the Official Plan to include the creation of new policies for mid-rise buildings and public realm improvements to implement the recommendations of the Avenues and Mid-Rise Buildings Study;
- d. a review of policies relating to the preservation and enhancement of public lanes on the Avenues; and
- e. overlap with Avenues to identify any appropriate amendments to implement the recommendations of the Avenues and Mid-Rise Buildings Study where necessary.

In addition to the five matters above, three other matters have been satisfied. The decision document can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>

ISSUE BACKGROUND

Since the Official Plan Review was initiated in 2011, City Council has adopted Official Plan Amendments to the following policy areas: Heritage, Housing, Economic Health and Employment Lands Policies and Designations. City Council has also considered draft policies for public consultation on Transportation, *Neighbourhoods* and *Apartment Neighbourhoods*. The following sections describe proposed Official Plan updates in response to new and revised provincial legislation and urban design initiatives that will help inform future amendments to the Official Plan urban design policies. These policy directions are recommended to be used as the basis for citywide consultation.

Urban design is an essential component of great city building and is fundamental to achieving the Official Plan goals. The Official Plan provides the vision for the City, including urban design policies as they relate to the public realm, built form, parks and open spaces, and building new neighbourhoods. The policy directions generally fall into four categories: (1) Seeing the bigger picture; (2) Prioritizing the public realm; (3) Guiding built form; and (4) Enhancing parks and open spaces.

The policy directions deal with Chapter 3 (Building a Successful City) of the Official Plan, including the Public Realm, Built Form, Building New Neighbourhoods and other sections. In generating the policy directions, staff reviewed the results of the 2011 citywide consultations on the Official Plan review, conducted internal consultations with Community Planning, Urban Design, and Public Realm staff, reviewed City Council directions related to Urban Design matters, and reviewed a number of Ontario Municipal Board decisions.

COMMENTS

Provincial Legislation

Section 26.(1) of the *Planning Act* requires municipalities to revise its official plan every five years to ensure – among other matters – that it has regard to matters of provincial interest and is consistent with policy statements. The urban design policies will need to be updated to reflect consistency with the revised Provincial Policy Statement, 2014 (PPS, 2014) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

Provincial Policy Statement, 2014

The PPS, 2014 states the official plans are the most important vehicles for the implementation of the PPS and that comprehensive, integrated long-term planning is best achieved through official plans. The revised PPS, 2014 came into effect on April 30, 2014 and recognizes the importance of well designed buildings that fit contextually within their surroundings and the need to respect the established character of neighbourhoods and communities. PPS, 2014 also provides new policy direction to promote green infrastructure that complements existing infrastructure. The introduction of new policies or refinements to existing policies will ensure consistency with these policy directions.

Accessibility for Ontarians with Disabilities Act, 2005

The AODA, 2005 calls for the development of standards for accessibility in five key areas of daily living: Customer Service, Information and Communications, Employment, Transportation, and Built Environment. New policies and references should be introduced that reflect AODA, 2005 goals throughout the Official Plan, including a possible sidebar that discusses the City's Accessibility Guidelines. The guidelines can be accessed at this link: <http://bit.ly/ljDAiIW>.

Urban Design Policy Directions for Consultation

The objective of the urban design policy review is to strengthen and clarify the existing policy framework. The following policy directions are intended to be used as the basis for consultation and inform revisions to, or the introduction of, new urban design policies.

1. Seeing the bigger picture

Urban design policies can be applied at both the citywide and neighbourhood scale. These policies should provide overall guidance on how to create beautiful, vibrant, functional, safe and inclusive places. The following policy directions are in response to a number of outcomes creating the need to revise the urban design policies.

- **Providing the purpose and intent of urban design guidelines**
Following the review of a number of Ontario Municipal Board (OMB) decisions, it is apparent that the application of, and weight placed upon, urban design guidelines are at times contested. In certain instances, the OMB understood the connection between the intent of an OP policy and its implementing standard or guideline. Currently Policy 5.3.2.1 of the Official Plan provides that implementation plans, strategies and guidelines may be adopted by Council and express Council policy, but they do not have the status of Official Plan policies. A new policy could make clear the role of Urban Design Guidelines to guide staff and Council in their review of development applications and public undertakings.
- **Recognizing that large and deep lots need additional planning**
Large and deep lots across the City are being proposed for redevelopment and require a comprehensive planning approach, which takes into account necessary structural elements for new and complete communities. The Humbertown development in Etobicoke, the Alexandra Park revitalization in the *Downtown*, and Don Mills Centre redevelopment in North York are a few examples where a master planning approach was required to introduce new streets, parks, open spaces, pedestrian connections and other elements required to support the proposed growth. New policies should introduce development criteria for larger lots to ensure that all the elements for complete communities are being considered.
- **Refining the Avenue policies and Map 2 Urban Structure overlay**
Since Council's adoption of the Avenues and Mid-Rise Buildings Guidelines, the development community, members of the public and City staff have relied on their performance standards in the review of development applications on the Avenues. Given the use of these guidelines, Avenue Segment Studies are no longer considered to be essential for all developments along Avenues that precede an Avenue Study. The Official Plan policies should be revised to clarify that planning justification reports required for new development on the Avenues and outside of Avenues should address how the proposed development implements the Avenue and Mid-Rise Building Guidelines.

The guidelines recommend that mid-rise buildings should be no taller than its adjacent right-of-way width. Along some portions of Avenues, buildings taller than their right-of-way width are appropriate. As such, either a categorization of Avenues is required to indicate appropriate building height and scale or a removal of the Avenue overlay on those portions that can accommodate taller buildings.

Consideration of the existing and planned context along the Avenues and *Mixed Use Areas* under this review will be required prior to policy changes.

- **Promoting a walkable city**

With the intent of promoting walkability, and in particular along *Avenues* and other *Mixed Use Areas*, new policies should, identify and provide suggested design solutions for facilities that detract from the pedestrian environment, such as drive through services, encourage loading and servicing functions to occur from rear public lanes or shared private driveways, and encourage main building entrances to locate on major streets, or on side streets on corner sites.

Providing an interesting pedestrian environment with a rhythm of different uses and entrances on the ground floor also plays an important role in supporting and encouraging walking. Additional policy directions to ensure an inviting pedestrian environment include, burying hydro lines at the time of road reconstruction to maximize sidewalk widths and tree planting, providing convenient and safe connections to key destinations and transit, identifying and protecting termini of important views from the public realm, and ensuring weather protection measures are continuous and functional. A method to review and gauge an area's walkability should be described within the Official Plan.

Through the analysis of a number of OMB decisions, planning and urban design evidence in opposition to a development attempts to describe adverse impacts that a proposed development would have, if approved. Shadow impacts and the number of continuous hours of shadow generated by a development within a given area are often contested at hearings. To provide direction, the current Official Plan policies apply the phrase "adequately limit shadow impacts", which invites a broad range of interpretation. New policies should clarify the phrase "adequately limiting shadow impacts" and "comfortable wind conditions" when measuring impacts new developments may have on the neighbouring properties and uses, including open spaces and parks to ensure that these spaces remain comfortable for its intended use (i.e., sitting, walking, active recreation).

2. Prioritizing the public realm

The Public Realm chapter in the Official Plan (3.1.1) states that great cities are judged by the look and quality of their squares, parks, streets and public spaces and the buildings which frame and define them. Public spaces play a role in creating complete communities and the following policy directions are intended to strengthen the existing policy framework around the public realm.

- **Clarifying the role of the public realm**

The importance of the public realm in the life of the city is set out clearly in the introductory non-statutory language in Section 3.1.1, but is absent from the policies themselves. As an organizing element in planning for every site and new neighbourhood, the quality of the public realm plays an important role in promoting walking, building new communities, generating economic

development, and enriching quality of life. New and revised policies should encourage enhancements to, and expansion of, a vibrant public realm.

- **Clarifying the need for new public streets as part of developments**
New public streets also play a role in expanding the pedestrian and bicycle network and defining edges of, and linking parks to other open spaces. New and revised Public Realm policies should reflect the ‘Feeling Congested’ consultation outcomes on complete streets and the role and importance of public streets. Consultation may identify additional policy areas needing clarification or expansion.

3. Guiding built form

The Built Form chapter of the Official Plan (3.1.2) states that future development will respect and improve the character of its surrounding area. The current Built Form policies provide guidance on the siting, massing, and scale of all new developments and also include a section (3.1.3) on tall buildings. The following policy directions are intended to provide additional built form guidance.

- **Development criteria for low-rise developments and mid-rise buildings**
Development criteria within the Official Plan provide built form guidance that can help address measurable impacts of proposed development at a policy level. New policies should implement both the Townhouse Design Guidelines and the Avenues and Mid-Rise Buildings Guidelines. In addition to providing the intent and purpose of those guidelines, new policies should introduce development criteria for both low-rise, grade-related developments and mid-rise buildings. These development criteria will be identified and advanced through the proposed consultation program.
- **Encouraging bold and thoughtfully designed tall buildings**
Where tall buildings are appropriate, they can play a role shaping skylines in the *Downtown*, the *Centres* and other emerging skylines. New tall building policies should recognize the cumulative impacts that tall buildings have on communities across the City, including communities with existing or planned tall buildings and those close to low-rise residential *Neighbourhoods*. Strengthened transition policies should help inform appropriate tall building heights and locations (see Item PG23.5), which can include appropriate setback distances between proposed tall buildings and low-rise residential *Neighbourhoods*. Development criteria at the policy level should be introduced to help guide tall building proposals. New policies should articulate the policy intent of protecting the quality of urban life and minimizing impacts on the public realm through appropriate tower separation distances, floor plate sizes, and discouraging additions to existing slab apartments.

4. Enhancing parks and open spaces

The Parks and Open Spaces chapter (3.2.3) of the Official Plan identifies the City's green spaces as helping to make Toronto healthy and livable. The following policy directions are intended to supplement the current policies by encouraging the addition and protection of new parks and open spaces.

- **Protecting and increasing Privately Owned Publicly-Accessible Spaces**
Privately Owned Publicly-Accessible Spaces (POPS) add to the amount of available open space within the city for pedestrians and should be encouraged through new policies that give further support to the recently Council-endorsed Draft Urban Design Guidelines for POPS.
- **Promoting public squares**
Public squares are a park or a POPS with streets on at least three of its sides, which have been identified as an effective place that provides a community focus. New policies should define public squares and clarify that they are a desirable form of parks and open space that can form the focus for redevelopment sites (see Item PG5.2). New policies could provide criteria for locating and designing public squares.
- **Maintaining Sunlight on Downtown Signature Parks and Open Spaces**
As part of the Downtown Tall Buildings: Vision and Supplementary Design Guidelines, study, eight parks/open spaces were identified that warrant additional protection from shadow impacts between 10 a.m. and 4 p.m. These parks/open spaces are: Allan Gardens, Berczy Park, David Crombie Park, Grange Park, Moss Park, Nathan Phillips Square, St. James Park, and Queen's Park. Staff will consult on whether sunlight protection should be incorporated into the Official Plan for these key downtown park spaces.

City-wide Consultation

In addition to hosting public open houses and meetings in different areas of the City, staff are proposing to meet with key stakeholders to obtain feedback on the urban design policy directions described in this report, which will help inform the development of draft urban policies. Stakeholder consultation will include, but is not limited to:

- City of Toronto Design Review Panel;
- Building Industry and Land Development (BILD) Toronto;
- Ratepayer Associations across the city;
- Business Improvement Areas / Toronto Association of BIAs (TABIA);
- Toronto Society of Architects; and
- Others.

Conclusion

Following completion of the public engagement process, staff will report back to Planning and Growth Management Committee on the consultation outcomes. The report will also contain draft urban design policy amendments for Committee's consideration and further public consultation in the second quarter of 2015. Staff are targeting a Final Report and Statutory Public Meeting on the Urban Design Official Plan Review in the third quarter of 2015.

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