

## **Protecting and Increasing Access to Privately Owned Publicly Accessible Open Space (POPS) - Status Update**

<b>Date:</b>	June 3, 2013
<b>To:</b>	Planning and Growth Management
<b>From:</b>	Chief Planner & Executive Director, City Planning Division
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2013\Cluster B\PLN\PGMC\PG13052

### **SUMMARY**

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The purpose of this report is to provide an update on City Planning work in response to Council's direction to examine Privately Owned Publicly Accessible Open Space (POPS).

### **RECOMMENDATIONS**

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**The City Planning Division recommends that:**

1. City Council request the Chief Planner & Executive Director to research all Privately Owned Public Space (POPS) in the City of Toronto and prepare a report listing the locations of all existing POPS, which warrant signage and develop a strategy for contacting property owners of existing POPS so that these spaces be appropriately signed as being publicly accessible and report back in the second quarter of 2014.
2. City Council request the Chief Planner & Executive Director in consultation with the Legal Services Division to develop appropriate wording for signs located on Privately Owned Public Space (POPS) and report back in the second quarter of 2014.
3. City Council request the Chief Planner & Executive Director to develop design guidelines for the creation of new Privately Owned Public Space (POPS) in consultation with appropriate stakeholders and report back in the second quarter of 2014.

### **DECISION HISTORY**

On November 27, 28 and 29, 2012, City Council adopted the following:

1. City Council request the City Manager to prepare a report that identifies all privately owned public spaces in the City of Toronto.
2. City Council request the City Manager to report on a strategy to ensure that all privately owned public spaces have visible signage indicating the space is open to the public; this includes, but is not limited to, parks, plazas, open spaces, squares and walkways.
3. City Council direct that the reports requested in Parts 1 and 2 above be submitted to the Planning and Growth Management Committee by June of 2013.

## **ISSUE BACKGROUND**

As Toronto continues to grow, there is an increasing need and demand to create new parks and open spaces as places of retreat, relaxation and recreation that contribute to the health and well-being of City residents. As land values increase, however, it is not always possible to purchase properties to create new public parks in areas of the City that are most in need.

In order to provide much needed open space the City often negotiates with private developers to include Privately Owned Publicly Accessible Open Space (POPS) as part of their developments. Since the year 2000, through the development review process, at least 1 million square feet of open space has been added to Toronto's downtown alone. POPS, which may include plazas in front of office buildings, green spaces surrounding tall buildings and pedestrian walkways, have been secured through a variety of planning tools including Section 37 and Site Plan Agreements.

POPS are secured for the enjoyment of the public but in some cases they may be underutilized because the public are unaware that they are publicly accessible. City parks are signed to notify that the park is managed by the City and open to the public. Experience from other North American cities demonstrates that a barrier to the public's enjoyment of POPS is a lack of awareness or poor design which makes the public feel unwelcomed. New York, San Francisco and other cities require that POPS be signed to indicate they are open for public use. Some cities use decorative features inserted into the paving material to indicate that the space is publicly accessible.

## **COMMENTS**

### **Identifying Existing Privately Owned Public Space (POPS)**

The City has successfully secured POPS using various planning tools. These spaces are publicly accessible but privately owned and maintained at the cost of the landowner. Through the review of site plan agreement records, City Planning has identified approximately 250 sites that may contain POPS, in the form of pedestrian walkways, plazas or open space. In addition, a review of Section 37 Agreements has identified another approximately 100 sites which may contain some form of POPS.

While City Planning staff have identified approximately 400 potential POPS, staff require additional time to understand the nature of each of these spaces. Staff are recommending that a refined list of spaces be provided to Council which specifically warrant signage.

### **Signing Publicly Owned Private Space (POPS)**

At present, while numerous POPS have been identified throughout the City, few have associated signage. Staff will develop strategies to provide direction as to when the City would require signage for existing and future POPS. Staff will report back to City Council with suggested wording and the type of information which should be displayed on the signs, such as hours open to the public and other rules regarding its use. Working with Legal Services, City Planning will develop an approach to contact owners and informing them about signage opportunities.

Signs for City Parks are created by Transportation Services Division Signs and Markings and installed by Parks staff. Signs range in cost depending on the size. The signage size and style should be designed so residents and visitors can easily identify the POPS throughout the City. In some cases, signs may have to adapt to conform to the branding and design standards for a particular complex in which the POPS is located.

### **Design Guidelines for Privately Owned Public Space (POPS)**

As more POPS are created throughout the City, it is important to ensure that they are not only signed as publicly accessible but they are also designed to be as open accessible and suited to their purpose as possible. To that end, City Planning staff will develop design guidelines for POPS to ensure that the spaces are designed with high quality materials and are welcoming to the public with appropriate seating. The Guidelines should describe when POPS would warrant signage, and the type of signage required.

Parks staff and Legal staff have been consulted in preparation of this report, and will be involved moving forward. City Planning staff will also engage other relevant City Divisions, such as Transportation Services, as required.

## **CONCLUSION**

City Planning staff will prepare design guidelines and continue to research and review the list of approximately 400 properties on a case by case basis to understand the nature of the spaces secured and provide to Council a list of existing spaces that warrant signage.

## **CONTACT**

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## **SIGNATURE**

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