

Dear Steven Dixon,

Thank you for the documents showing the changes proposed by the Planning Department.

I note they will be the subject of a Public Meeting of the Planning and Housing on December 10 2019 at 10am (or soon after).

Clearly a great amount of thought and time has been put into the 5 year review of these sections of the OP.

My comments are from the perspective of hearings I have attended on severances and variances. TLAB hearings are the only place these applications are tested and there are strong forces trying to undermine every element of the OP. (Read attached Star editorial and letters in the Star today). We have relied on the sophisticated policies of the 2006 plan with a few changes and there is scope for clarification which was so well done for the review of Land Use Designation policies in Section 4.1.5.

The latest version appears generally to be a diluting of the existing policies both in terms of strength and clarity. I note that much has been added on other relevant matters.

3.1.1 Public Realm

While the non policy text is not a legal part of the OP, the current lead in to the policies seems much stronger than the replacement. To add in a definition of public realm is helpful however there is no link to urban design which has a three dimensional aspect. This will cause trouble at hearings and needs to be amended to reflect the reality that urban design concerns what is seen from the public realm. This means the building facades (as you point out) but also front yards, views through to back yards, vegetation and skylines, all which will be on private land. I suggest that the definition of public realm be changed by adding "and includes all that can be seen from the public realm". Further clarification should be added that states that "Urban design is the three dimensional aspect of planning which related to aesthetics, safety and comfort" In addition "Character is referred to features of an area which are worthy of conservation. Character is established through a three lens process outlined in Section 4." These are simple definitions which help both professional and lay people to comprehend urban design, a subject around which misunderstandings are common. We need simplicity since these hearings go on for 5 days or so because meanings are not clear.

Likewise under policies some meaning and clarity is lost by the changes to section 5 on page 3. Changing "seek" to "encourage" for example is a weakening. I would keep the text and enhance it d) instead of eliminating it by paralleling Section 4 by stating "No changes will be made through planning applications that are out of keeping with urban design principles. All such applications will enhance the public realm." As you know Long Branch has Character Guidelines adopted by Council and these such documents are increasingly being used as a way to tackle design excellence across Ontario. Such studies should be added to the list of policies as not only are they helpful for achieving OP aims they save time at hearings by defining the broad character of an area. At the moment the broad character outside Long Branch has to be analysed for every hearing. So I suggest adding "Urban Design Studies" as an additional way of promoting excellence in urban design.

On the application requirements I wonder why variances are not cited as needing tree related studies where trees are impacted by a proposal. COA applications are always accompanied by building drawings so that impacts can be gauged and as TLAB have pointed out it is almost impossible to judge qualitative impacts without these. As well complete applications in areas which are subject to Character Guidelines need to be accompanied by an analysis of character through the methodology in Section 4.1.5.

An analysis using the 3 lens approach outlined in Section 4 Land Use Designations where required by City adopted Urban Design/Character guidelines should be part of a complete application. Such a provision should apply to all applications under Section 4 of the OP. An example of one is attached.

3.1.2 Built Form

My main comments are on the criteria for judging good urban design in Section 3 on Page 5. These appear to have been disaggregated and in terms of impact on neighbouring property eliminated. I oppose replacement of Section 3 starting "New development will be massed". This beginning is a strong statement introduced relatively recently which enables those defending the OP some impetus. Under d) I would add sunlight and separate from privacy. Privacy and overlook are common issues at TLAB. Another section should include views and skyviews and yet another dealing with large overbearing/oppressive walls and microclimate. This latter issue which comes up at most hearings where the applicant wants to double density of a proposal and it extends way back beyond the next door buildings. Elimination of this section would also eliminate "harmoniously" to apply to all matters not just height and setbacks as mentioned later on in the new text. Harmonious is a key word in all hearings.

Under 1e Preserving mature trees should be added to by "and limiting damage to trees to be preserved"

The OP should clarify what infilling means. Is it just different types of housing in a neighbourhood that is to be redeveloped or does it also mean adding a house within a row.

Smaller items include "materiality" which means importance so "materials" is fine.

At the top of Page 2 I think "inform" should read "create". Lower on the page walkways should be added after laneways. Page 12, 12a needs to be stronger so adding in "in a form that reflects overall architectural design."

While you may have good answers to the points I raise, from an initial review these policies seem to be a step back in an era that is giving greater attention to urban design and is likely to do so in the future. It would be far better to resolve issues at this stage, before adoption, through consensus.

Please let me know asap how you intend to deal with these points.

Also please could you let me know how the appeal process works. Thank you.

Yours truly,

David Godley, retired Planner and Urban Design Specialist and Local Knowledge Expert under TLAB rules.

401 Lake Promenade

Toronto, M8W 1C3