INVESTING IN THE PUBLIC REALM

Challenges, Opportunities, and Lessons for Toronto

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CONTENTS

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This report explores opportunities and challenges for maximizing public-private resources and partnerships in support of the public realm. The aim of the report is to expand awareness and understanding about current tools tied to public realm investment. The public realm consists of places and spaces we collectively own and control; however, it is not always clear how, for whom, and to what benefit these sites are created. The government-centred model, which sees value in public spaces solely contingent on use-value, is increasingly merging with private and community models, which place emphasis on measuring the value of space to maintain sustainability over their long term stewardship. This report considers the degree to which new types of collaboration – public/private partnerships – create otherwise unavailable opportunities for the public realm.

City builders in Toronto are brimming with ideas to catalyze equitable, accessible, and engaging public spaces, but are often constrained in executing them. Regulatory processes and rules - by-laws, permitting systems, design guidelines, and other procedural matters – sometimes hamstring the process of transforming a novel idea into a concrete reality. The key to opening processes related to the activation of the public realm in the City of Toronto is not to circumvent existing government processes, but to make them more robust by including a wider set of actors. Clarifying policies and procedures, as well as the roles and responsibilities of different actors, needs to occur at the outset of a project, program, or initiative so that all stakeholders are recognized and supported.
This report calls attention to some of the latest investment practices and ideas in the public realm, while exploring the confluence of influences that shape the process and outcomes of public space projects. These involve various interrelated factors: design

(aspirations and visions); planning and development (negotiation, policy and regulatory procedures); use (context of space); and governance (responsibilities towards stewardship, maintenance, and funding). The report connects academic research and case studies from other jurisdictions with experiences of city builders and urban enthusiasts in Toronto: urban planners (from both Toronto and elsewhere), developers, and city councillors, as well as social entrepreneurs and members from the non-profit and philanthropic sectors. Within this context, the report considers the levers of change that could be used to direct investment in the public realm, with an emphasis on certain key challenges in the process.

The report serves as a companion piece to previous reports ERA architects has been involved in that advocate for the City of Toronto to create a connected public realm surrounding key cultural institutions in the city. These include the "Cultural Institutions in the Public Realm," "Defining the Public Realm: Waterfront Culture and Heritage Infrastructure Plan," and "Growing Opportunities: Investing in, revitalizing, and sustaining Allan Gardens" reports. While written with reference to these works, this report expands upon them by exploring visions for the public realm not centered only on cultural resources. Rather, it integrates other perspectives on concepts of the activation of the public realm from other jurisdictions, while still foregrounding the particular cultural and heritage features of Toronto's built and natural form.
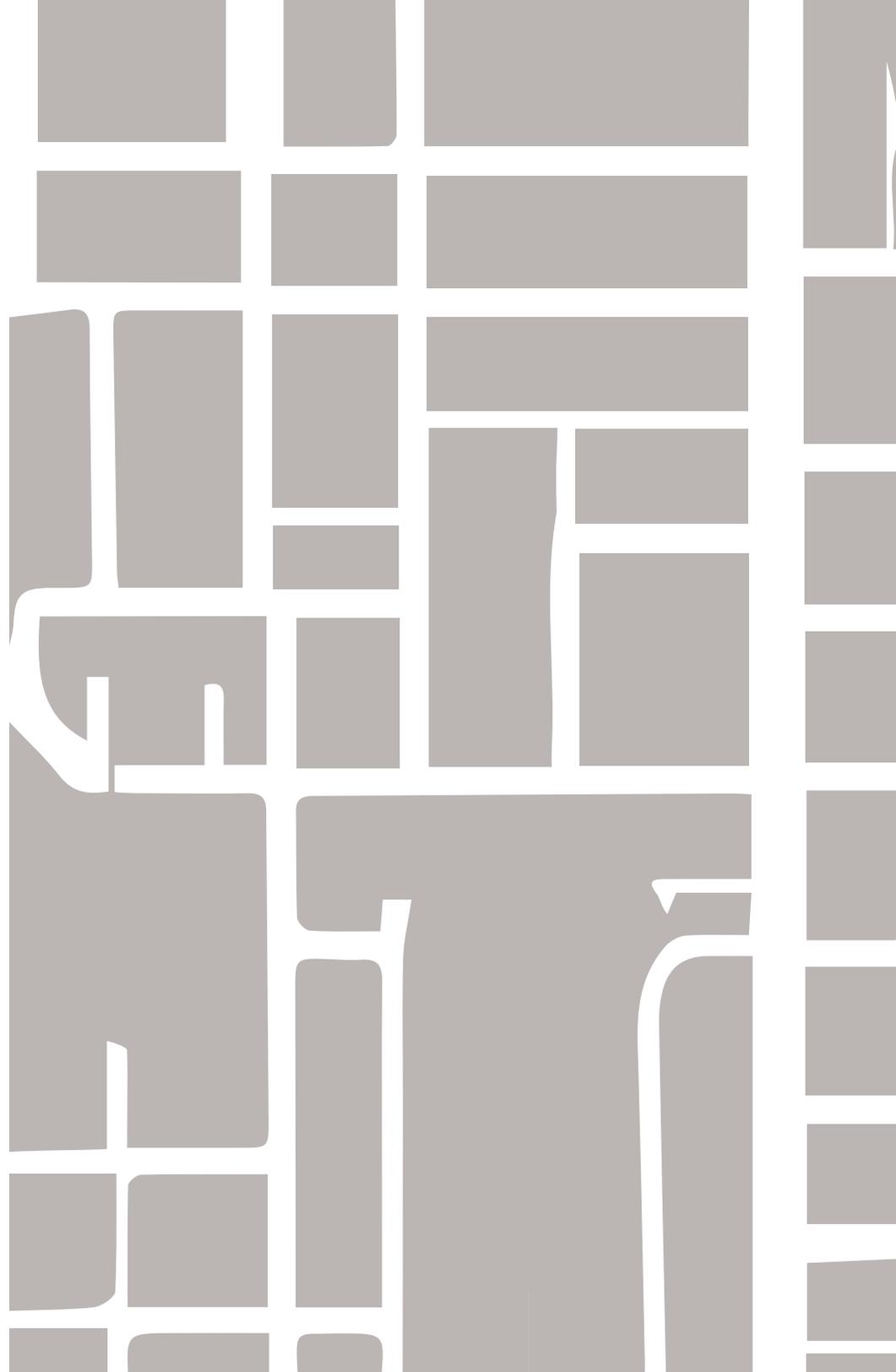
INTRODUCTION

In response to former Councillor Adam Vaughan's use of development dollars to fund public amenities, former Mayor Rob Ford suggested this practice was equivalent to a 'shakedown.' This blunder sparked an interest into an obscure area of the Planning Act known as 'Section 37'– a policy tool that grants exemptions from planning rules for developers in exchange for them providing public facilities and amenities. The discourse emerging from this incident was not about elevating the importance of the public realm, but rather the misguided actions of city politicians lining their pockets to fund 'wish lists.' Similarly, when news broke about the cost of the umbrellas ($12,000 each) at Toronto's Sugar Beach, some city councillors quipped that these decisions were a waste of taxpayer dollars. The message that quality material costs money was lost on most, as was the implied benefit of creating a world-class waterfront for the people of Toronto. Both of these stories share a common message - a negative reaction to the elevation of the role of urban design in making a contribution to shared civic assets, such as public and open spaces. They also create a conversation that perpetuates the idea that Torontonians are undeserving of a vibrant public realm. Meanwhile, several heavy rounds of fiscal austerity, including provincial downloading, have helped shift spending priorities away from what some policymakers may consider a bloated definition of the role of government. A series of crude judgments about the misuse of policy tools and the quality of urban design make for quick headlines, rather than a full understanding of the design, development, and political processes that gave rise to them. This report challenges this discourse through an exploration of the broader issues at play with regards to investing and developing Toronto's public realm.

Urban spaces have long been studied by sociologists, geographers, urban planners, and architects. Some notable contributions in this vein include Holly Whyte's The Social Life of Small Urban Spaces, Jane Jacobs' The Death and Life of Great American Cities, and Jan Gehl's The Life Between Buildings, all of which brought together the study of human behaviour with the architecture and design of public space. As these texts attest to, the social, economic, and environmental benefits associated with creating high quality streets, squares, parks and other public spaces to strengthen civil society are well-supported - however, the pathways, and understanding of required costs, to making these benefits fixed features of cities are generally less understood. The quest for good urban design is often too focused on the ends rather than the means, minimizing historical, institutional, and social context in favour of advancing one of the latest "urbanisms". Making the case for a high-quality public realm requires more than platitudes on its visceral value; it increasingly requires making an economic case alongside a social case in an era of reduced public spending.

This report explores opportunities and challenges associated with maximizing the public realm as a shared interest. Its purpose is to expand public awareness and understanding of current tools tied to public realm investment, with a particular focus on the role and contributions of city planning, the development industry, and the philanthropic and non-profit sectors. The report reflects on innovative ways cities in North America and Europe are financing and developing public and open spaces through multi-sectoral partnerships. These examples serve as guideposts for how Toronto may optimize public and private resources for the public realm. While there is no "how to" manual for how all of these pieces come together, it is suggested

that the understanding of the public realm cannot be grasped without understanding the full range of influences that act together and autonomously to shape the various outcomes of public space development projects. The report considers where opportunities for collaboration between different forces may lie in Toronto's public realm.

The unprecedented development Toronto is experiencing has introduced new constraints on its urban fabric. In some parts of the city, buildings are wedged into smaller spaces, bringing everything and everyone closer together. An increase in height and density forces residents to confront the tangible (e.g., concrete and glass), as well as the intangible - competing values and preferences for how residents want to live, work, and play in space. Another factor is an increase in the density of use: more people place a greater demand on each feature of the public realm, which is becoming increasingly finite. In the face of these constraints, it is essential that residents and politicians alike be proactive about what their expectations are for the

public realm. Despite some disdain towards directing investment to the public realm by some officials, this report starts from the assumption that the public realm should meet the highest standard for residents and visitors alike. This premise is based in an understanding of well-designed and –managed public space as having both intrinsic and extrinsic value, and a crucial role in the spatial order and life of a city. In order to understand how this may be achieved, the report considers what levers in Toronto's policy landscape (land-use planning) and partnership landscape (government, non-government, and non-profit) could be used to start increasing the flow of public realm investment. The report considers key institutional, regulatory, and cultural barriers to advancing new approaches. While the report is not intended to provide a systematic overview of infrastructure investment opportunities and partnerships, it does offer a snapshot of some ideas and practices that have led to transformative decisions on how the public realm is being re-imagined in cities.

GUIDING PRINCIPLES:

Vision: This report aims to expand awareness and understanding of current tools, policies, and approaches tied to public realm investment, drawing significant lessons for Toronto. It considers appropriate avenues to channel public-private resources to achieve various results.

PUBLIC REALM:

The physical spaces that make up the public realm form the structure of the city. They should not exist as stand-alone entities but have a relationship to one another as part of a citywide network. As buildings are increasingly built closer to one another and citizens find themselves in denser spaces, and there is an increase in the use of these spaces, we need to imagine the effect of use density with far more consideration. Competing visions of the design and use of limited space forces decision-makers to make tradeoffs between the use of space and the desires of its users - for example, achieving a balance between traffic and pedestrian movement. This is also a question of democracy in planning. Clarity in the policy context, and an expansion of the decision-making capacities of users in how, for whom, and to what benefit these features are created is essential in strengthening public and private investment interest.

CULTURAL LANDSCAPE APPROACH:

A set of ideas and practices embedded in a particular place, which are based on the shared heritage and cultural assets of a population and their natural environment. Recognizing the distinctive features of Toronto's cultural, ecological, and historical context, and how they connect to one another, is integral to any fixed investment in the public realm. A cultural landscape approach informs the practice of developing the public realm; it provides a framework for how the image of a city is imagined by its people, including their values, aspirations, and preferences.

PARTNERSHIPS:

A shared responsibility between the public, private, and community sectors. A consideration of how partnerships can catalyze opportunities for the public realm (as either risks or rewards) beyond the government-centred model needs to be explored more thoroughly. By this understanding, government cannot act alone. Any successful implementation pathway will have to be undertaken as a collaborative effort with other stakeholders. The pathways to achieving sustainable partnerships remain unclear, and there is no single approach to instruct stakeholders how partnerships form and evolve.

THEORETICAL CONTEXT:

Public space scholar Matthew Carnoma argues that in order to achieve a full understanding of the public realm, we must conceive of it in its totality. He suggests that we must consider the 'place-shaping continuum" when thinking about the short- and long-term expectations for public spaces. These include components of the design planning process from conception to execution: design, development, use, and management. This is an important consideration because research seldom reports on the inner workings of policy and partnerships, leaving us with few guideposts and lessons learned to use as reference points when experimenting with different partnership and resource arrangements. This report uses the concept of 'place-shaping continuum' to provide an overall framework to activate these guiding principles.

DOCUMENT STRUCTURE:

This report is intended to be highly accessible to a range of readers. To ensure readers can select what they are looking for, the main pages contain the highlights of the research, and the appendix sections provide further background and analysis information. The report is organized into four broad sections:

WHAT'S THE LATEST THINKING:

This section presents an overview of the latest research and case studies about public space trends from academic and policy sources from North America and the UK.

WHAT'S IN FRONT OF US:

This section presents the existing policy conditions and emerging context that supports the development of Toronto's public realm.

WHAT WE HEARD:

This section presents and analyzes interviews that were undertaken with key thinkers and leaders in urban matters in the City of Toronto.

WHAT SHOULD HAPPEN:

The final section synthesizes the issues, opportunities, and challenges identified through the research, and provides recommendations for policymakers and next steps city builders may consider to guide future action.

considering how to measure the success and evaluate design of public space. The method of 'post-occupancy evaluation' (POE) is a budding approach in landscape architecture that seeks to understand how and why people use space. [i] POE is positioned as a tool aimed at improving how people use the built environment: the advantages, disadvantages, and limitations of space for users and non-users. For example, POE would ask, is a courtyard being used to its full potential?

However, despite a growing recognition of the many benefits public spaces provide, other research indicates that the public often underappreciates them. Acceptance by some that public spaces remain the responsibility of government alone downplays the threat of diminishing their value, or losing them altogether. As government budgets are cut, affecting spaces such as parks, the cost of maintaining public space grows, and these spaces become more vulnerable to the ebb and flow of fiscal austerity imposed by governments across the world. The banality of our public spaces leads to an undervaluing of public spaces in public and private decision making, and these two phenomena (austerity and banality) have a close relationship.

"It is important to reframe debates to reflect how people actually use spaces, and the fact that to members of the public, ownership and appearance do not define the value of space, rather the opportunities it provides for shared use and activity define the value ."
(Matthew Carmona)

1.1 DEFINING AND CLASSIFYING THE PUBLIC REALM

The public realm consists of the physical features of our cities that we see and experience everyday: streets and laneways, parks and other open spaces, greens, commons, markets and promenades, as well as public buildings with community and cultural value, such as museums and libraries. At its most basic level, the public realm consists of spaces for people to use. They are shared civic assets made accessible for public use. The public realm consists of the connecting points between buildings, and the right of ways that structure how we move around the city – cycling, walking, driving, or taking transit. Developing strategies for the public realm are important for guiding and directing development to support connectivity between buildings and streets. With this level of thinking, cities direct investment into the public realm through developing outdoor public spaces for people to socialize, interact, observe, or just be alone in.

Public space outcomes provide a range of social, aesthetic, environmental and economic benefits. Ideas about how potential public spaces should conform to the public realm and nature of public space are a highly debated topic of conversation among urban enthusiasts, scholars, and city builders. A growing body of research from Europe and North America suggests that enhancing public and open spaces in our cities generates multiple benefits. Forms of these are: environmental (contact with nature); health (noise reduction and pollution reduction); social (community cohesion, leisure, and entertainment); political (sharing of ideas and debate); and cultural (expression, traditions, and the exchange and promotion of values). These are inter-relational – for example, living near or having frequent contact with naturalized spaces bodes well for reducing mental health problems and living healthier lives. Accompanying this area of research are studies

10 East 29th Street, New York City is a Privately Owned Public Space (POPS). POPS exist in many North American cities, including Toronto. Source: Advocates for Privately Owned Public Space (APOPS).

Public space as a concept encompasses a wide variety of spatial forms, from the virtual spaces of the media and the Internet to the more commonly understood physical spaces of cities and neighbourhoods.[ii] Within this context, parameters are set to include spaces where social and civic functions are exercised, including semi-public or in-between 'third places' , such as cafes, bars, or bookstores. Through these spaces there is an increasing fluidity between the physical and the virtual realms – an increasingly layered web of interconnectedness. In a technology-driven context, basic Internet access has changed the way people access space and use urban spaces. It introduces new activities such as ridesharing and meet-ups, and creates a web of virtual interactivities that were until recently unimaginable. These evolving parameters of space alter behaviour patterns in public space. In North America, many people spend less time in traditional public spaces, such as

parks, squares, and waterfronts, and more time in the private realm: at home, online, or at the gym. People also spend a substantial amount of time commuting, which takes away from our ability to spend leisure time in parks or visit the local library to retrieve a book.

At the most publicly accessible, spaces such as government-owned and operated parks, streets, and squares define spaces that comprise the public realm. At the least publicly accessible, spaces such as plazas and promenades are owned and managed by the private sector but grant public access. Furthe r, beyond questions of ownership, the functionality of certain spaces (such as shopping malls) may have layers of public value (such as common gathering spaces). Public spaces are no longer solely associated with the streets and squares of the city core, but instead include an urban network of dissociated places and spaces. [iii iv]

Space within the public realm is commonly classified according to a range of characteristics. These include function (design), form (types of space), perception (social and cultural dimensions), and ownership (political and economic structures). Social and cultural perspectives focus on the people who use public space – the users - and their perceptions of that space. Physical and psychological perception shape people's relationship to space, creating different patterns of activity that draw users in for a short duration or encourage them to linger and stay for longer. Occupancy patterns range from the 'situated' – socializing with others, eating, drinking, and reading – to more transient occurrences – meeting someone, or walking through a park. Any given categorizations of the social and cultural aspects of space are by no means exhaustive, but the following typology demonstrates a diversity of expectations for public spaces.

1. Everyday places: a range of non-descript spaces in neighbourhoods that comprise much of the public realm and everyday scenarios of interaction.
2. Places of Meaning: peoples' individual associations and meanings (from positive to negative, affixed to particular spaces).
3. Social Environments: the facilitation of interaction between users – both fleeting and enduring – through design.
4. Retreat: The option for both solitary reflection and socializing
5. Negative Spaces: The experience of disruptive behaviours, such as racism, uncomfortable confrontation, and forms of surveillance.

The place-specific complexities of individual cities make it nearly impossible to develop a universal model for public space. The public realm may be imagined with all the democratic priorities that cities aspire to achieve, but public spaces struggle to be all things to all people. The principle of "cities

for all" is fundamental as a guiding principle for imagining the public realm; however, it is also important to acknowledge that not every space can, or should, appeal equally to everyone. As a principle, "cities for people" recognizes the diversity of lifestyles and preferences amongst urban populations, and that cities should offer something for everyone in the right locations, rather than everything for everyone, everywhere. Different spaces have different purposes and should be assessed on that basis; some are more transient, others are set up to spend time in, some are relaxing.

The evolution of public space is informed by both an historical and contemporary context. Path-dependency - established paths that have become institutionalized over time - often establishes a permanency to how the function of space is perceived. Actions taken today are shaped by an accumulated history of experience and practice, by naturalized ways of doing things that often change slowly. For example, contemporary park design is often criticized for being too rationalist and functional, because it often follows a pre-determined path towards a set of outmoded goals. At the same time, the process of public space design evolves over time, reflecting changes in society, the economy, and prevailing political tendencies. Pre-conceived ideas of the proper use, features, and characteristics of a given space ebbs and flows over time, making the function of the public realm a relatively open field. Widespread policy interest in creating livable and walkable communities has prompted many cities to devise strategies that reconfigure space previously planned for the car. Adaptation and appropriation thus represent a continuation of the design process of public spaces.

In a systematic review of public space critiques, Carmona settles on new normative principles aimed to conceptualize the nature of public space: (p.29, 2014).

Effective public spaces are:

Evolving, Balanced, Diverse, Delineated, Social, Free, Engaging, Meaningful, Comfortable, Robust

GOVERNING THE PUBLIC REALM: ENGAGEMENT AND PARTNERSHIPS

Ideas of public space design influence strategies and approaches to manage and program them. In a time of reduced government spending across North America, the UK, and parts of Europe, research and policy models increasingly support the view that a combination of state, market, and user-centred models are the best way forward in achieving effective service delivery in public space. The government-centred model for many public spaces saw governments plan, deliver, and maintain a given site on their own accord. However, a growing acceptance of the need for alternative service delivery that draws on the skills and resources of external sectors like the private and non-profit sectors is thought to fill a growing service gap. This allows more space for the market to be involved in public areas, including the delivery of public services and agencies.[v]

In the face of this trend, public, private, and community partners are beginning to play an active role in funding community and economic development beyond uniformly public investment. Public-private partnerships (PPPs) are an arrangement through which new models of service delivery are realized.[vi] At the local level, Business Improvement Area (BIA) organizations are an example of engaging with a PPP approach. A BIA levies funds from commercial and industrial businesses relative to their property value. Once fees are paid to the city, they are handed over to the local BIA to manage and invest in improvements to the area, such as streetscaping and beautification projects.

'Code of conduct' from POPS model, Sony Plaza New York City
Encouraging and discouraging certain types of behaviour. Private involvement in public space management implies explicit and implicit codes regarding what types of people and groups are welcome in a given area.
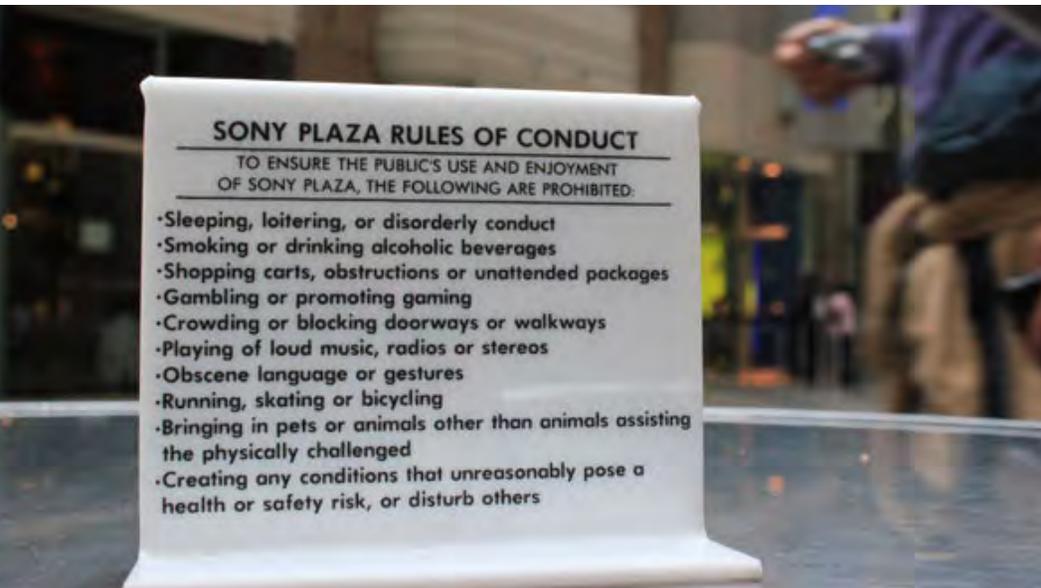

In the context of the public realm, the 'end of public space' thesis emerged from a general fear that increased private involvement in the production of public space would lead to a decline in its character.[vii] Others argue that concerns over privatization are exaggerated. Globalization has sparked a rise in private sector innovation and urban design-led development paralleled by a renewed interest, from the public sector and beyond, in public space. Some commentators suggest that the 'publicness' of public space is not under threat of corporate takeover, but rather is being re-imagined under new approaches to development and stewardship. The provision and governance of public space is undergoing a complex redistribution of roles, rights, and responsibilities, with a range of different actors. Each arrangement varies in degree from place to place in terms of public space qualities, with the degree of public and private function evolving over time.

Questions of accessibility, ownership, control, and the nature of the benefits provided should be asked of any existing and proposed public spaces. Public space needs to be imagined as having intrinsic value, relative to a given governance model and the attributes of those with power over the regulation, production, and maintenance of a given space. While many are advocating for more de-centralized governance models, how we govern and manage co-existence in shared spaces remains ill-defined. What is made clear in the literature is that as ownership models become more hybrid in nature, positioning the user at the center of how we think about and create our public spaces is important because it factors in the values and aspirations of different people and communities within the planning and design process. [ix]

The engagement of philanthropy and non-profit sector as key partners in contributing to the public realm has been on the rise in the last decade, particularly in the United States. Private funders, including philanthropic organizations, are starting to tune into the need for making investments where governments are not. The Central Park Conservancy stands as the most prominent example of philanthropic involvement, through their commitment to fully restore, operate and maintain Central Park in New York City. What began as a proposal by private citizens to help restore the city's prized civic common, after decades of neglect, has led to the conservancy assuming primary responsibility for the park's operations. Injecting philanthropy into public-private partnerships has expanded the horizon of what is possible for park standards. However, it remains to be seen whether the risk involved in self-financing public spaces like parks – an endless search to find funds for operations – outweighs the sustainability of dedicated tax-based funding provided through the public model.

Many believe there is a role for philanthropy in the public realm, but what that role entails remains unclear. The level of involvement (capital works, programing, operations, and management) and the values and motivations of an investment are still very much in a trial phase. In the context of parks, some have argued that philanthropy benefits parks where and when they are able to generate money - donations tend to be self-serving for they are made by those who live close to parks. This contributes to a concentration of wealth rather than an equitable distribution. Poorer neighbourhoods with less private development and investment inevitably suffer when left to rely on underfunded parks departments. The biggest challenge is creating an arrangement that allows a city to tap into the benefits and resources of philanthropy in ways that are not overly determined by the preferences of donors and funders.

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"More and More, cities across North America are turning to innovative partnerships with non-profits in city parks….successful park partnerships start when a non-profit partner can identify the gaps between the park's current state and its potential.. in other words, what can the non-profit partner bring to the park that the city is not providing already?"
(Toronto Park People and Martin Prosperity Institute, 1 :2014).

In Canadian cities, the non-profit sector plays a significant role in creating and preserving green spaces such as parks, including the development of educational initiatives and engaging the wider public in stewardship activities. However, the amount of philan-thropic money available in Canada pales in comparison to the size of the problems being addressed. Leveraging philanthropic support to connect with additional resources from the public and private sectors presents challen-ges for stakeholders working to produce these spaces. These include finding funding to scale up projects to other communities and neigh-bourhoods, communicating success stories, and developing research that demonstrates the value of urban public spaces. In Toronto, a study on park partnerships revealed that fundraising capacity varies tremendously from group to group and often hinges on buy-in from the local councillor or staff member. There are also few available guidelines or practical 'how to' manuals for community groups to follow to get the results they are looking for, particularly those which are less experienced in such processes. Overcoming these challenges will enable these groups to champion their causes more robustly as a key policy issue at all levels of government.

"Efforts to improve the design of public spaces through nonprofit initiatives are relatively new in Canada and the practices involved are evolving. Compared to some other urban sustainability issue areas, such as energy, food, and greenspace, the number of nonprofit organizations leading initiatives in this field is limited." (Ray Tomalty)

1.3 MAKING AND MANAGING THE PUBLIC REALM:

Developing a set of criteria from which to base decisions about how spaces in the public realm should look and feel is an inherently subjective exercise. Still, developing focused strategies around a particular ownership model is a natural step when experimenting with alternative governance approaches, such as public-private partnerships. In a time of global exchanges on these issues, design should be responsive to the tangible and intangible features of the local context to preserve the distinctive features of an area. What follows is a snapshot of some approaches that frame public and open spaces, with an emphasis on advancing the push for a larger role for private and non-profit sectors.

Cultural Planning

Cultural planning is a process of identifying and leveraging cultural assets to support a city's social and economic goals. Integrating culture with other land use objectives (e.g., walkability and active transportation) can reinvigorate planning more generally through the creation of complementary uses that enhance culture alongside other considerations. When tied to local understandings of community, heritage, and public space, culture is not simply about art galleries, theatres, and other traditional elements of the narrow high arts version of such; it encompasses the physical, natural, and intangible manifestations of the way of life of a people, performed in everyday life.

Placemaking

Placemaking fosters attachments to places of interest in the city. The thrust behind this concept is to enhance the public realm surrounding public spaces so people will make use of them, and to develop an identity that brings people to frequent a particular place. As an overall vision, this strategy aims to re-frame ideas of public space to include things like public art projects, public parks, main street rejuvenation projects, temporary installations, and other cultural assets that amplify the image of a community in the minds of those who inhabit it. Placemaking is achieved through a combination of a driving vision that is distinct to a particular place; mobilizing public will alongside private sector buy-in.

Cultural Landscapes

A cultural landscape is a set of ideas and practices embedded in a place. Cultural landscapes facilitate the interaction between a human population and their natural environment. Natural landscapes combine with cultural features, such as objects, paths, viewpoints, or corridors that have a direct or indirect relationship to the landscape. A cultural landscape approach to framing public spaces perceives landscapes evolving ecologically, while simultaneously protecting important values, activities, and historical events related to them. Cultural landscapes create a legacy for residents. Certain sites tell a story about how we have developed and how we are evolving with the natural world. Protecting cultural landscapes ensures a sense of place and identity with our shared heritage and cultural assets. The recognition of cultural landscapes and their features is thus essential to the process of city building.

"A cultural landscape cannot be observed, it must be experienced. We need to ask ourselves how the public spaces we create will be experienced by those who will use them for years to come. We can observe artifacts, but rituals must be experienced in order to fully understand the place." - Writer Julian Smith

Summary

• The nature and character of the public realm evolves over time, including activities that were once more private in character versus public and vice versa. However, ideas about everyday use and management continue to shape spaces long after those who initially created them have moved on. This is known as path-dependency.

• The various competing and overlapping functions of public space suggests that public space is best imagined not in the singular (aspiring to an ideal) but the plural (various forms of publicness).

• The extent to which we are witnessing a universal decline or revival in the quality and quantity of public space remains an open question.

• It is important to test theory and proclamations of the public space critique relative to local circumstances.

• Key policy investments are being made in the public realm, only this time governments have less public resources to pay for them and rely on private sector partners to contribute or fund spaces entirely.

• Applying a culture-based lens to the programming and revitalization of public spaces during capital improvements ensures the inclusion of history in decisions about current and future uses.

Research Gaps

• Evidence of the implications of alternative forms of public space governance is partial as most public spaces are still provided and managed by government.

• Most of the literature on public-private partnerships focuses on projects at the local or regional scale, such as transportation and road infrastructure, with few studies focusing on the neighbourhood scale, such as park and open space management.

• Strategies to avoid the deterioration of spaces through a lack of maintenance and investment are lacking. Approaches to "place-keeping" are generally less understood. More empirical research is needed to test whether public-private partnerships can be financially self-sustaining.

• Developing evaluation criteria that quantifies the value of the public realm has been noted in calls for future research to explore the relationship between public policy and private sector investment.

• A general lack of evaluation or review of urban design interventions. Preoccupation with the finished product tends to downplay the significance of understanding the political and regulatory processes that are integral to their long term success.

• The components of public spaces often thought of in a fragmented manner (e.g., use, characteristics, governance, funding, etc.) by the public and city officials alike. Thus, the public realm is not conceived in its totality, or as a 'place-shaping continuum.'

2. MODELS FROM OTHER CITIES

Many cities across the world have embraced a livability agenda, which endorses the delivery of safe, clean, and green public spaces and places. The following section highlights examples that put into focus collaboration in public, private, and community partnerships. Each example articulates a variation of cultural planning, placemaking, and cultural landscape approaches, for a variety of different uses and users, from employment to leisure and recreation.

Collaboration between ReBar Group, Flora Grubb Nursey, Recology, San Francisco Clean City Coalition and At&T – who donated construction materials

'Showplace Triangle' plaza San Francisco
source: http://thosespacesinbetween.files.wordpress.com/2010/06/rebar_showplace-triangle-plaza.jpg

2.1 AUSTRALIA: EMPTY SPACES

Empty Spaces is a project based at the University of Technology in Sydney that facilitates the temporary, low-cost use of empty and underused public and private spaces for cultural and community use. Interested parties form licensing agreements with landlords that then form a contract for the use of empty space. The overarching strategy underpinning this project is to create low-impact change through the use and reuse of existing spaces, while providing employment to cultural practitioners.

Empty Spaces is funded by the New South Wales (NSW) government and delivered through a local arts agency, Arts NSW, in collaboration with the NSW Department of Planning. Following a cultural planning approach, project partners introduce local arts and community organizations who need space to owners and developers, who then strike licensing agreements.

Key Takeaways:
• Involving planning in the process from the outset shortens the time needed to encourage flexibility around zoning rules when transitioning a space from retail to commercial use

• Convincing landlords to provide their properties at a reduced rent, based on the idea of adaptive re-use development, will have a long-term impact on a community, is a hard sell

• Action occurred quickly because the initiative was integrated within local government divisions such as city planning, culture, tourism, and economic development to achieve complementary use objectives

• This model invited the public to experience something unfamiliar

2.2 SAN FRANCISCO: PAVEMENT TO PARKS PROGRAM

Pavement to Parks takes underused land on San Francisco streets and converts them into pedestrian spaces. As a concerted effort between the city's planning department, public works department, the municipal transportation agency, local economic development offices, and the mayor's office, the overarching vision for the project is to spark a dialogue with the public about imaginative ways to use underutilized public space. This vision is achieved through the temporary development of 'parklets' (parking spaces converted into publically usable space) and plazas (courts or squares that have a surplus of spaces). The city engages non-profit partners, local business, and residents to test ideas in the public realm through pilot concepts. The program also makes temporary interventions into plaza spaces by closing off unused portions of streets and activating them for community use. Some experiments have won over certain communities and are now transitioning to a permanent status.

Key Takeaways
• Re-zoning shows the public that planning laws are flexible and spaces can evolve

• An established planning program helps to streamline the process for applicants

• This model has shown a proven increase in foot traffic on streets and in local businesses

• Reliance on pro-bono work from designers is required to launch the creation of a project, which not all people have access to.

• Projects can rely on donated construction materials or materials purchased at cost, and volunteers are required to help build and maintain spaces.

• There is no certainty that a project will be reclaimed as a permanent space

• Parklets serve specific populations, not the city as a whole

2.3 NEW YORK CITY PLAZA PROGRAM

The New York City Plaza program is a public-private partnership between the Department of Transportation (DOT), the Department of Design and Construction, and non-profit organizations and/or local BIAs and community organizations The goal is to turn underused streetspaces into vibrant public spaces through the creation of neighbourhood plazas. The program follows a competitive process that sees local non-profit organizations propose a plaza idea with a plan to operate, maintain, and manage a given space. The program is strategically aligned with the city's broader goal to ensure that all New Yorkers live within a 10 minute walk of a quality open space.

Key Takeaways

• This model is integrated into broader planning objectives of city-wide access to public space.

• The city plays an active role in funding the design and construction of the plaza and assisting in public visioning and consultations about design.

• Funding is levied from the DOT's capital budget – 1% is allocated towards the plaza program.

• Community groups may self-generate revenue through commercial events, with revenue going back into the maintenance, management, and operation of the space.

• Equitable vision: one space in 59 different community districts by 2020.

• A bottom-up approach is possible - however, this may make it difficult to generate interest where there currently is none.

• Finding non-profit partners who are willing to assume the role of managing plaza programs can be challenging. Poorer communities without BIAs have trouble fronting funds for maintenance.

2.4 MAKING SPACES PROFITABLE, PUBLIC AND PRIVATE OPEN SPACES (MP4) – UNITED KINGDOM

This experiment developed an innovative approach for planning and designing, and maintaining and using private and public open spaces. As a European Partnership project funded by the European Union "Interreg IVB Programme", the project includes six countries involved in planning and maintaining private and public open spaces. Unique from other placemaking ventures, Mp4 leads with a focus on identifying ways projects can be maintained over time, which is guided through a cultural

landscape approach. After the pilot phase, all projects undergo an evaluation based on four criteria: partnership, funding, governance, and policy.

Sheaf Valley Park: An underutilized park space turned open-air Amphitheatre located behind Sheffield Train Station

Partnership: Sheffield City Council, Urban Splash (Developer), Friends of Sheaf Valley Park (community), Yorkshire Forward (Community-regional), Residents Against Station Closure (community)

Programming Partners: The Showroom (independent cinema); Tamlines (music festival); Sheffield Hallam (local University)

Funding: Section 106 agreements (developer contributions), Sheffield City Council, Graves Trust (charitable source)

Governance: formalized public-private partnerships between the Sheffield Council, Urban Splash, and Friends of Sheaf Valley

Park. The City is in charge of maintenance, and the friends group is in charge of programming and operations.

Key Takeaways:

• A successful cross-sector partnership that leveraged funds from different areas

• Measuring successes is considered at the outset of the project

• The park was strategically positioned in the delivery of wider city policy commitments such as regeneration areas, transport hub vision, and the wider city green network.

• A project officer working for the local government is responsible for the coordination between partners.

• The excitement to get projects off the ground caused the majority of funds to be spent up front. Budget-stretching strategies need to be considered from the outset.

• A decrease in community programming resulted in a waning of community interest. Maintaining trust and motivation between all partners is difficult and requires constant attention.

• More partners increase the likelihood of a shifting governance dynamic. Project partners must be open to flexible approaches and partnerships need to evolve in response to changes in the project

Pearl Street Triangle, DUMBO Brooklyn:

Managed and operated by the DUMBO Business Improvement District (BID)

before

after

2.5 PROJECT FOR PUBLIC SPACES

Project for Public Spaces (PPS) is a US-based non-profit organization committed to creating public spaces that strengthen communities. In collaboration with local communities and public-private partners, PPS follows a placemaking approach in imagining the creation, design, and programming of public spaces. 'The Beach' at Campus Maritus Park in downtown Detroit exemplifies placemaking in action. An area of the park was transformed into a beach, complete with lounge chairs, a deck, and a beach bar. The project is now in its second year, with programming that includes aerobic classes, sand castle building, live musical performances, and space to play in the sand. Underlying PPS's approach is a philosophy of creating interventions in the public realm that are 'lighter, quicker, and cheaper.'

Partnership: PPS, Southwest Airlines, Downtown Detroit Partnership

Funding: Southwest Airlines Heart of the Community Grant, Rock Ventures (Private Sector), Detroit Economic Growth Corporation (non-profit organization)

Governance: Campus Maritus Park Conservancy is a subsidiary of the Downtown Detroit Partnership. They are responsible for the management, operation, and programming of the park, established through an initial endowment from the philanthropic community.

KEY TAKEAWAYS:
•There were quick wins for the public realm through short-term modifications that aim to build momentum for the long-term.

•This kickstarted a dialogue about how the public realm may be transformed.
•There were concerns about generic or homogenous activities and design.

•This runs the risk of exporting a universal template to be used elsewhere.

• Corporate partners may require visual branding such as signage for programming in parks, with no obvious connection to the heritage features of spaces and local values.

Campus Maritus Park, Detroit. Source: Huffington Post

COMMON CHALLENGES

A report examining similar projects in North America revealed seven recurring challenges common to placemaking ventures.[xi] They demonstrate the challenges of addressing the intricacies of the design planning process from start to finish, as captured through Carmona's concept of 'place-shaping continuum'

1. Making the case for placemaking is harder than it should be: In a time of fiscal scarcity, public spaces are often treated as a luxury or a single-issue concern. Communicating the value of place is a major challenge.

2. Expectations are deemed unrealistic: Partners underestimate the time and cost it takes to get shovels in the ground, which quells the spirit of a "here and now" culture.

3. Expertise is a scarce resource: Many projects fail due to a knowledge gap. A visionary project by leaders or experts unfamiliar with context can cause it to quickly fail. The best experts may mistrust authorities, which makes them harder to reach.

4. It's difficult to know who to involve, and when and how to involve them. The quality of a community engagement strategy makes or breaks a project. People come and go, and lack of trust can push people away. This makes it challenging to build a coalition over time.

5. Rules and regulations are a heavy hand: Great ideas often run up against a tightly controlled regulatory environment. Often new ideas don't conform to policy frameworks, which prompts local officials to prematurely reject new ideas.

6. A lack of reliable funding sources can often crop up: The perceived risks of innovative public space projects are as equally risky to funders, as they are to policymakers. Securing reliable funding at each stage (conception, design, implementation, management, and long-term stewardship) comes with its own separate challenges.

7. Evaluation: Few projects undergo an evaluation that considers their own.

3. WHAT'S IN FRONT OF US?
TORONTO'S PLANNING CONTEXT

3.1 LOCAL AND PROVINCIAL PLANNING FRAMEWORKS

The Official Plan sets out a clear vision on public and open spaces to help achieve city building goals such as creating landmarks, civic commons, view corridors, and the presence of public art. Through the official plan, the City of Toronto recognizes the importance of making investments in connections between buildings and public right of ways.

Section 3.1.1 The Public Realm: Public Spaces draw people together, creating strong social bonds at the neighbourhood, city and regional level. They convey our public image to the world and unite us as a city. They set the stage for our festivals, parades, and civic life as well as for daily casual contact. Public space creates communities.

Great cities not only have great building – but the buildings work together to create great streets, plazas, parks and public spaces.

Additional infrastructure needed for the building of new communities will be laid out and organized to reinforce the importance of public streets and open space as the structural frameworks that supports high quality city living.

Section 3.2.3 Parks and Open Spaces: As Toronto grows and changes, the parks and open space system will need to expand.

Section 3.3.2. Built Form: Coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms

The Provincial Policy Statement (PPS) which integrates all of the ministries' land use interests, guides planning decisions at the local level. Specific policies related to livable public and open spaces, planning and partnerships are shown below. Cultural planning, placemaking, cultural landscapes, planning, coordination, and integration are key policy planks in the most recent (2014) statement.

Policy 1.5.1 Healthy and Active Communities: Planning public streets and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.
(b) Planning and providing publically-access-ible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, tails and linkages
Policy 1.6.5: Public service facilities should be co-located in community hubs

Policies 1.7.1: Economy and Employment: Promote investment-ready communities, place-making and mixed use areas to support economic development.

Policy 4.11: Interpretation and Implemen-tation: Promote coordinated, integrated planning processes

Cultural Heritage: Significant built heritage resources and significant cultural heritage landscapes should be conserved

Policy 2.6.4 Recognize Aboriginal interests in land use planning and promote the conservation of cultural heritage and archaeological resources, including the use of archaeological management plans and cultural plans.

3.2 SECTION 37 OF THE PLANNING ACT

Public realm objectives found in the Toronto's Official Plan are implemented through various policy tools. For example, 'Section 37' of the Planning Act allows the city to grant additional density or height allowances to a developer, beyond what is otherwise permitted in the zoning by-law, in return for the provision of 'facilities, services, or matters.' These are commonly referred to as 'community benefits – capital facilities or improvements such as parks, libraries, squares, public art, and community centres, and are secured through either in-kind or cash contributions. The provision of new amenities such as greenspace, community facilities, heritage resources, cycling networks, arts and cultural facilities, are all public realm objectives that may be achieved through Section 37. This policy area predominantly applies in areas of the city experiencing rapid growth, such as the downtown core and the major avenues. The city is currently in the process of reviewing Section 37 policies and guidelines.[xiii] Section 37 funds can only be allocated towards physical infrastructure and maintenance for capital projects, not operations or programming.[xiv]
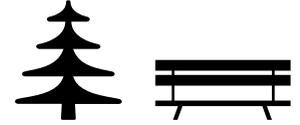
Planning, Parks, Forestry & Recreation, and Transportation are the key city departments responsible for delivering strategies and programs based on these policy objectives. Created in 2009, the 'public realm division' is in charge of managing the city's sidewalks and pedestrian spaces, as well as streetscape and beautification projects. These include the 'street furniture program' and 'beautiful streets program.'

TORONTO LAND AREA

streets = 1/4   parks = 13%

Streets make up approximately a 1/4 of Toronto's land area, while parks equal to 13% of total land area

In addition to the City of Toronto, local BIAs have developed public realm master plans as a way to guide investment and strategies within their catchment area. The Toronto Financial District BIA and the Toronto Downtown Entertainment District BIA both have plans in place

SECTION 37

FAST FACTS:

1 Section 37 must demonstrate a 'reasonable planning relationship' between the development and benefit provided, otherwise benefits may be considered a charge or a tax.

2 Toronto tends to secure benefits that are labeled "desirable visual amenities", public art, streetscape improvements, and park improvements.

6 In 2014 alone, the city of Toronto secured **$38 million** in cash benefits though Section 37

3 Approximately 90% of benefits pertain to residential uses.

4 Use of provincial policy tools such as Section 37 may support provincial growth plan objectives: intensification, growth management, public transit, and "other community building objectives." However, the city of Toronto does not see Section 37 as a means to achieve "good planning" as any development should constitute good planning as a condition of its initial approval. On top of this, legal frameworks specify a "rational nexus" between the development site and community benefit must exist. This means that the benefit must remain within the vicinity of the development site.

7 Between 1998 and 2014, the city has secured approximately $309 million in Section 37 cash benefits. However, there are significant "unspent" benefits due to delays in the development process. Funds can reamin unallocated up to five years.

8 As of 2011, more than 50% of Section 37 contributions could be considered in-kind, yet the value of these benefits is unknown: the city does not track the value of in-kind benefits, which could be equal to, or more valuable than, cash benefits.

5 The OMB suggests that the courts may interpret an application of flat rate or standard formula for the valuation of benefits as an illegal tax.

6 Toronto captures approximately 10-20% of the increase in land value for most developments through Section 37. There is no standard formula for Section 37 as each agreement is negotiated in an ad-hoc manner.

VANCOUVER: DID YOU KNOW?

• Vancouver generates approximately 70% of the lift or additional value through rezoning, which is negoiated through community amenity agreements. Standard re-zonings are charged a city-wide fixed rate of $32.29 per square metre.

• While the city's policy frameworks and municipal structure differ from Toronto, city planners set a standard valuation formula by which developers must comply to when asking for additional density allowances.

• Unlike Toronto, Vancouver does not have to demonstrate a "reasonable planning relationship" because the threat of a tax or OMB related body is non-existent.

• Vancouver tracks the value of in-kind contributions and has secured more cash contributions than Toronto. As of 2011, less than 20% of contributions counted as in-kind.

• Vancouver has a tendency to provide benefits towards affordable housing units and community facilities. The idea of "sharing the wealth" explains the city's use of community benefit agreements as they can pool funds from different developments across the city to fund individual projects.

• Some have suggested that Vancouver's at-large (city-wide) municipal structure facilitates this sharing, versus the more parochial ward-system of Toronto that sees councillors involved in their own backyard of community amenity issues.

• Culture-specific projects – performance, live/work, and retail – leverage community amenity agreements. For example, the city establishes community use agreements with specific provision of culture use of private space for a nominal rental fee.

PRECEDENT: MORE VALUE CAPTURE

North York Centre Secondary Plan: The city has been able to capture 100% of the increase in land value as a result of rezoning. The plans sets base densities, and development cannot exceed these densities by more than 33%. This sets in place a two-tiered zoning by-law that establishes a base density and density increase. Any amendments beyond this limit results in the city receiving the total land lift and a specified list of benefits: day care, counseling centres, school facilities, and crisis care centres.

Metrolinx Midtown Rapid Transit Program Public Realm Amount. 1.5% of total construction costs from the Rapid Transit Program will go to the public realm. This will include approximately $70 million in streetscape improvements spread out along Eglinton, Sheppard, and Finch Avenues. The public realm amount is the mechanism to implement the vision of complete communities established through the 'Eglinton Connects Planning Study' and Eglington Environmental Assessment. While carrying a different level of authority than Section 37, the public realm amount prescribes public benefits through a system-wide approach by integrating benefits across all impacted areas.

"The Theatre Centre", a 'live arts hub and incubator' Source: Corbin Smith, 'The Torontoist'

Section 37 funds were used from a development on 150 Sudbury Street to revitalize the historic Carnegie library (former public health office) for use as a city-owned theatre centre. This practice provides an example of how the city can retain existing publically owned heritage buildings for community and cultural use.

Preserving Heritage Resources in the Public Realm

Policy frameworks support the conservation of significant cultural heritage resources at the local and regional level. Toronto's Official Plan states that policies for heritage preservation are to be implemented through Section 37. For instance, Section 5.1.1.5 of the Official Plan states Section 37 may be used to protect heritage resources, such as the conservation of heritage buildings. This policy direction is furthered through the city's implementation guidelines for Section 37, which is to be used to "protect, restore or commemorate on-site or off-site heritage resources in the local area." From a policy perspective, the tools to direct Section 37 towards maintaining built heritage resources are in place; however, at the moment, funds for heritage are typically put towards heritage studies (e.g., heritage conservation district study) more than actual conservation work.

Section 37 benefits may also be used as a means to protect aging cultural infrastructure in the city by securing benefits as capital improvement funds. Many of Toronto's cultural organizations are housed in repurposed heritage and industrial buildings that are in desperate need of repair.

4. WHAT WE HEARD: RESEARCH HIGHLIGHTS, KEY CHALLENGES

The following section illustrates key themes derived from interviews with city builders. Topics discussed include Toronto's public realm, planning and policy tools, urban design, the role of development, and public-private partnerships. Interviews were organized around three interrelated topics: context (place and the public realm), process (planning, policy, and development), and relationships (partnership and engagement models). Three primary questions formed the foundation of interviews :(1) How can Toronto maximize planning tools like Section 37 to enhance the public realm?; (2) What is the role of non-governmental partners, such as philanthropy and non-profit partners in the public realm?; (3) How can public and private interests maximize Toronto's public realm as a shared interest? What are the key challenges faced when trying new approaches?

CONTEXT AND PROCESS: SECTION 37 OF THE PLANNING ACT

Improving Management of Funds: Many participants suggested that there appears to be lack of oversight with regards to the monitoring and delivery of Section 37 funds. There are some concerns with the delays in the delivery of Section 37 benefits. Benefits are secured as a condition of approval for a development, but are not typically received until a building permit is issued. In this time, some funds become unaccounted for due to staff turnover and vacancies. There are internal, procedural matters that need to be rectified to ensure the timely delivery of community benefits.

"The city does not have project managers to oversee the management of Section 37 funds. Section 37 fails in the execution stage, as there is not always someone to monitor the various outputs. You often have "funds in waiting" (City Staff, Toronto)

"One of the main complications of Section 37 delivery is identifying who leads? Who is in charge of stewarding the funds?" (City Staff, Toronto)

Being Strategic: Many participants suggested a lack of coherence and vision around the types of benefits provided through Section 37. There was a general feeling from those outside of government that community benefits achieved through Section 37 may not always match community needs and broader planning objectives. Many believe that the city, in partnership with community partners, requires more foresight and imagination to set a schedule of priorities for both the short and long term and an emphasis on measuring performance.

"How many more murals can we paint through Section 37? They are great, but it is not the only form of public realm improvement" (Community Organizer and Architect)

"The city is changing so rapidly, we need to make sure the things that make it a place – like culture and heritage – remain a priority. Section 37 is one means to realize this." (City Staff)

"I think Section 37 should be used for securing a benefit on the site, or in a more creative fashion to improve the public realm or more creative architecture." (Developer)

"Section 37 is driven a lot by the councillor. I'm not sure if people know there is a set of priorities, and I'm not sure if there is a mechanism to how this tool is performing" (Developer)

Misuse and Limited Distribution: Some participants cautioned that Section 37 is being used for different purposes than initially designated. Section 37 generates a small amount of revenue to capital and facilities, and was never intended to finance the larger infrastructure gap faced by the city of Toronto. However, some fear that the tool is being reimagined as a revenue tool to address challenges bigger than it can handle. And this applies only to those who make use of it. Many councillors in outlying wards, where growth is occurring at a slower pace, do not have ready access to Section 37 because it favours areas with high land value.

"Section 37 has created an environment where municipalities want a developer to go through a re-zoning so they can ask for community benefits. But Section 37 is not planning. There is limited opportunity on a site-by-site basis. Planning actually gives some forward thought in how you would like to see an area built out. That's planning. Section 37 is not planning" (Former planner, City of Toronto)

"Section 37 is the only mechanism directly available to councillors to fund public space projects, and not every councillor receives the same amount." (Architect)

"Section 37 is an effective tool to achieve public benefits. Unfortunately, if you read the legislation around it, it is intended for one-off things, special things. It has become an important funding mechanism for councillors to achieve capital infrastructure for their wards." (Former Planner, City of Toronto)

Access: On the ground, local community groups, BIAs, and residents have had varying degrees of success with accessing Section 37 funds for local projects. A general lack of transparency over how community benefits are determined has kept the community voice out of the discussion in some cases, but included in others. Those who have the wherewithal and connections tend to catch the ear of the local councillor, whereas others struggle to gain a foothold in the process.

"We tried to access money for a project, but it is very difficult to access and coordinate that money. There is a bit of that, but it is really strict and uninspired in its implementation." (Community Organizer and Architect)

"It's great when there is a plan for Section 37 but too often it responds to a need -du -jour. Benefits are not determined through a community consultation process where you get everyone in a room and determine a hierarchy of needs."
(Urban Planner)

RELATIONSHIPS: THE ROLE OF PHILANTHROPY IN THE PUBLIC REALM

Innovation and Risk: Some participants believe philanthropic organizations are best positioned to lead and support new ideas regarding complex issues like public space. No foundation in Canada is big enough to fund a previously funded government area on their own, nor are they interested in trying to match or occupy the space government is occupying. Philanthropy should be called upon to invest in areas and ideas where others are not, and galvanize support and interest around that idea.

"Real philanthropy is about risk capital. About using resources to experiment with things where government won't take risk, but a non-profit or other group would. The question we should be asking is not how you make up the shortfall of government investment, but how you can support a forward-thinking idea that may succeed or may fail." (Leader, Non-Profit Sector)

"Government funding is rigid; if you're going to apply as a charity, you need to demonstrate that you are meeting all their goals, and that you are accountable. Foundations tend to be much more open to big ideas because they have more flexible standards." (Leader, Philanthropic Sector)

Bringing people and ideas together:
Many players in the philanthropic world are guided by the philosophy of 'collective impact' - a simple notion that solves problems by working with others rather than in isolation. Through this vision, learning and sharing approaches, strategies, and resources, expands the possibility for what can be achieved. Most participants believe this to be the most forceful approach to addressing 'wicked' problems, such as urban sustainability.

"If we just making grants on our own that would not enable us to leverage others to produce a much greater initiative collectively than we would working in isolation." (Senior Staff, Public Foundation)

"There are new ways of approaching this – but generally it means getting different stakeholders around the table to think about something differently. Historically, the language was p3's – but I think there are opportunities for multi-sector partnerships – academia, public, private, non-profit – to assume a position in this space" (Senior Staff, Social Enterprise Sector)

"We need to purposefully and intentionally go out and try to find other people who are going to think differently then you. Then put them in a room and figure it out." (Leader, Social Enterprise Sector)

Understanding Value: Many participants noted that funders in Canada are generally not involved with making investments into public spaces - but many are starting to express an interest. Clarity about the value and benefits of public spaces, including who takes responsibility for what (e.g. operations and maintenance versus programming) remains unclear.

"You need to make sure the right partners are doing the right things in terms of capital infrastructure, programming and maintenance, so you can retain the features that make a public place such as a park an open and inclusive place for everyone. Getting the alignment of all those individual working pieces and working towards those outcomes is both a challenge and a must" (Senior Staff, Public Foundation)

"Public Space is sort of amorphous, which makes it difficult to understand from a value/benefits perspective. Who takes responsibility for what isn't immediately intuitive to the untrained eye. Public space needs to be for and about something – more arts, more business opportunities, more programs." (Senior Staff, Private Foundation)

"If it's not just government funding, we need to demonstrate the value proposition to whoever is funding. The old business case for the public value of public assets is very much a government paradigm. We do need to be able to report more than the park just being there. What benefits flow from having that park in that community"? (Senior Staff, Public Foundation)

"As a general rule, funders perceive investment in the public realm as a public responsibility, so there is not overwhelming interest. But, that doesn't mean they would turn away." As it stands, public spaces are public responsibilities, so how would they look different? If you make the case, I think that funders would be interested in public space." (Senior Staff, Private Foundation)

"When considering a public realm initiative you need to think about the maintenance of the infrastructure in terms of what that means to public space and livability. You can almost always find money for capital, but never the operations or the maintenance." (Transportation Staff, City of Toronto)

Experimenting with Governance Models:
Many participants believe on principle that inviting the private sector is important in an era of decreasing public resources. The drawback, however, is that establishing lead roles for private sector bodies may set a precedent for 'letting government off the hook'. Most participants suggested that achieving a balance between private involvement and the public good is challenging. Funders generally don't want governments to make decisions with their own money, but governments are reluctant to cede control over public space.

"Changing the governance structure is a challenge. If you are asking anyone other than government to finance these things, then they want a seat at the table and want to have a say about what goes on. Other partners, like private funders, don't want to give money and have the government make decisions." (Planner and Non-profit Sector Leader)

"How we actually establish new governance models is unclear. How we manage our co-existence in shared space in a way that gives people a voice is the task we have in front of us. Lots of people agree that more diffuse and de-centralized governance is the way to go, but this is something that people are not entirely used to." (Director, Private Foundation)

Design and construction of park: Approximately $2.6 million from Section 37 and 42 (parkland development levies) funds materials (soil, plant material, and crabapple trees): 35K from the Parks and Trees Foundation, and $145k by the Garden Club of Toronto raised from the W. Garfield Weston Foundation, Canada Blooms, and individuals [xv]

June Callwood Park, Source: Reddit

As part of their public realm plan, the Entertainment District BIA, in partnership with the city, rolled out 'parklets' on the east side of John Street for the summer of 2014. This is the first phase of many in reclaiming John Street as a vibrant public realm surrounded by various cultural institutions.

First phase, John Street 'Cultural Corridor'

KEY CHALLENGES

Moving from a Culture of "No" to a Culture of "Yes": All participants believed there is no shortage of good ideas about how to build a vibrant public realm - the challenge lies in the execution of those ideas. Projects often have a clear ambition of the outcome, but as they are rolled out, the pieces don't always fall into place in an orderly fashion. Many believe that Toronto has a history of squashing forward-thinking, innovative ideas. Interventions in the public realm need to be grander, more frequent, and rooted in local context and history. Some participants believe that the city government is beginning to show an open mind to new ideas, but on the whole needs to be less risk-averse.

"The issue is delivery, and the political will to implement public realm projects with full impact. What we have is a dribble." (Planner, Non-Governmental Organization)

"More resources is a poor excuse. I never use that excuse. I don't think what's missing is here. The tools we have are in front of us. A culture shift is needed to trying new ideas. It's not a staff issue" (Former Director, City Planning).

"An ongoing challenge in a lot of ways is that [we] are still a mean frontier city. The notion of doing something beautiful for the sake of doing something beautiful is still a bit foreign here. We always find a way to dumb things down, to make things meaner." (Senior Staff, Culture Office)

"This is a city that has potential. We don't have our act together. We are not a well oiled machine that has a collective vision about what we want. But, we are very quickly realizing what we don't want. That is the first key step. We are beginning to take action around the things that we want. And, we are leading it as well." (Developer)

"The first implementation is weak. It wouldn't have taken much to make it a better space. All it would have taken was to allow bars to serve in that space. Lots of time and effort went into creating this zone, but you can't carry a beer across the sidewalk. People can walk across the sidewalk with a beer, and the world doesn't stop. The space was empty in one of the nicest days of the summer. Simply because you can't take your beer there." (Architect and Community Organizer)

Rethinking Notions of Public Space. Many participants believe a re-think is needed around how we conceptualize the boundaries of public and public-private spaces. For example, breaking down divisions between public and private space may incite more creative uses of new and existing spaces. However, some participants cautioned against privatization of public space. With the increase of Privately-Owned Public Spaces (POPS)[xvi], some suggested it is important that permitted uses and codes of conduct be negotiated upfront to maintain the public character and function found in traditional public spaces.

This mid-rise building is situated within Victoria Memorial Square Park, with an unobstructed boundary between the east entrance to the building and connection with the park

29 Niagara Street, Source: Jeff Biggar

The decommissioned church will be transformed into an open-air public courtyard, as part of the adjacent Imperial Plaza Redevelopment Project led by Diamond Corp Development
source: Diamond and Schmitt Architects and ERA Architects

Future rendering for Deer Park Church, Toronto

 "There is too much delineation between public and private space; we don't conceptualize or actualize them as a joint thing. If I want to have doors that open onto the parks, there are many obstacles to making that happen." (Developer)

 "The emphasis doesn't always have to be on new spaces. I think the re-purposing of existing buildings – post office, churches, and heritage buildings and turning them into spaces for the community is a big win for the public realm." (Senior Staff, Private Foundation)

Canadian Malting Mills, Source: ERA architects

An Undervalued Planning Department: Participants from both outside and within city government believe that the city's planning department has become downgraded to a development approvals agency. This poses challenges for planning to get out in front of development in a way that sets a vision for the built form while balancing a public and private agenda. Participants suggested that planning needs more power to begin with so they can reorganize their operations and gain more capacity to make decisions regarding matters related to the public realm.

Encouraging Thoughtful and Sophisticated Development: Many participants suggested that developers have a role to play as city builders beyond the physical development of buildings. Some suggested that not all developers are motivated by profit, but also by social and community goals. All told, many believe that both the city and development community need to raise expectations of one another regarding the level of contribution to the public realm, and creating meaningful partnership between these two groups, and devising strong incentives for public realm contributions, was called for.

Silo Breaking: Most participants suggested that divisions between government departments hamstring the planning process and stifle new ideas around urban design. More flexibility and openness on the part of government staff around design guidelines and general coordination across departments was called for to unlock the planning process from the bureaucracy. Divisions often have overlapping objectives but are confined to their own jurisdiction. In municipal governments, for example, planning and parks may share overlapping objectives from the point of view of the public realm, but are managed in separate departments with little communication between them.

"Historically, we think about work in silos, with our head down and with what's in front of us. We rarely have the user at the centre. So we are missing different perspectives" (Social Enterprise Sector)

"There needs to be freedom in the design guidelines. There should be some criteria, but we shouldn't be held to it. The current structure puts practicality before anything else. That's the default position." (Developer)

"I think design guidelines make sense at some level, because you want a level of consistency in the public realm - but they make it more challenging for people to implement smaller pilot projects." (Local Architect)

"The city can be rigid in its policy frameworks. Creative ideas from a developer can be met with criticism and negative reactions because you're not following a standard formula. The city is concerned with having rigid policies where everybody is treated the same. I think it doesn't help the public realm or architectural creativity, and it can lead to some negative results on architectural quality." (Developer)

"Urban design at the city became relegated to each individual application and arguing with architects and developers. We need to recover from amalgamation, and get back to planning. All sorts of people recognize that we are not doing real planning" (Former Director, City planning)

"I actually think Planning needs to own more of the decision making power on the City side. As it stands, there are too many cooks in the kitchen (Engineering, Urban Design, Parks, Right of Way Management etc) and the whole creative part kind of gets paralyzed as a result and we end up designing and engineering to satisfy all the departments." (Developer)

"Someone in the planning department should be able to have a greater role and authority over all departments. It shouldn't be that planning is one of four divisions. There has to be someone who can take the lead with some judgment and make decisions based on heritage, transportation, and design components altogether. There needs to be bolder leadership from the planning department. They should have more authority." (Developer)

"What we would like is something unique and special. With something beautiful along the water, we are saying you belong please come here. It's not the extraction of the money, it's about how did we achieve a beautification that achieves great city building." (City Councillor)

"Good development needs to push the process to deliver the best outcome that isn't just cheap." (Developer)

"If you let someone rake the city for profit, you need to give back to the civic life. You can't just walk away." (Non-profit leader)

"The city needs to create an expectation that if you build a building you care what is outside on the ground floor. You don't get gold stars for that right now." (Non-profit sector leader)

"There are no incentives to push the boundaries. There is nothing in the current system that encourages a developer to contribute to the public realm." (Developer)

"Development projects can be insular, or they can be collective or collaborative in their approach. Looking at the property from the property lines is a very much insular approach to development, and unfortunately that happens more often." (Developer)

"There are developers that come in and try and take advantage, change their plans after they have been approved. This is legitimate. But overall there isn't enough of a positive working relationship that we are all on the same team." (Developer).

Creating Partnerships: Most participants pointed out that every project in the public realm occurs due to a series of champions – from all sectors – that worked together to achieve something. A combination of top-down and bottom-up efforts is essential to create viable partnerships that spark political will to drive change.

Creating a connected public realm: Some participants believe that Toronto's unofficial designation as 'a city of neighbourhoods' is special, but they also indicated that it may limit our thinking about the public realm to the neighbourhood scale. Some suggested city-level thinking - systemic thinking - is required when planning and designing the public realm. An emphasis on networks is essential to creating spaces that connect buildings with streets and create a comprehensive system of parks, public and open spaces.

Toronto Rail Path .Source: Flickr

"The city is opportunity driven: A combination of community will and political interest is vital. When these come together, the city will listen – but they are not going to raise the opportunity themselves." (City Staff, Culture Office)

"There needs to be a champion for projects in the public realm. The city staff are knowledgeable, they know how things work – but we need to partner with them. I don't think that organizations partner with the city enough, or understand the resources available. They need to be included in the conversation from day one." (St. Lawrence Market BIA staff member)

"The elected officials have to look out to that public realm. We need to build a city, not just buildings. I think that people understand cities that have managed to build public realm with a civic function are better to live in." (City Councillor)

"I believe that the development industry, in partnership with the city of Toronto, has to work together to create a positive and enjoyable public realm." (Developer)

"Yes, Toronto has a neighbourhood focus but wouldn't it be interesting if you had a couple of grand gestures about making connections. A project like high-line does that. That is what is so brilliant about that. An emphasis on connection is what Toronto needs to be working towards." (Urban Planner, Non-Profit Sector)

"With the completion of the west donlands, we are moving towards total public realm. If you think about what makes a city like New York great, it is that it has connected neighbourhoods. We need to be working towards a similar goal in Toronto" (Developer)

"Projects in the public realm tend to be more guerilla and temporary as opposed to something more substantial. Ideally, a combination of both is the way to go – but they must amount to something bigger than our own individual footprint." (Director, Non-Profit Sector)
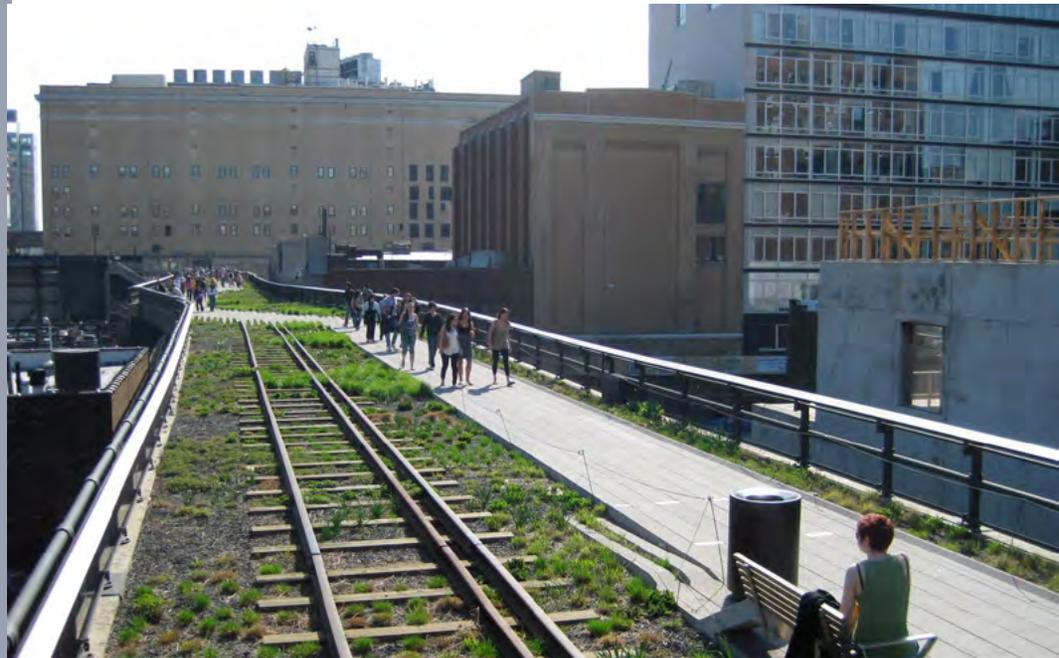
The Highline Park, New York City , Source: Wikipedia

5. DISCUSSION

In general, these findings are consistent with the existing literature and case studies. Commentary with participants revealed many challenges with existing regulatory, jurisdictional, and cultural matters to developing the public realm. For instance, we found that those working within and outside of government support the view that creating a vibrant, diverse, and accessible public realm is in the city's best interest, and partnerships are the way forward to realizing that ambition. The findings also revealed that the means and avenues to fulfill these aspirations are met with varying contextual challenges, such as cultural expectations about the function of public spaces, and questions over the responsibility and authority for the stewardship of the public realm. Generally, the findings reinforced the view found in the literature that imagines all components of the public realm in an integrated and holistic manner. This view, known as the 'place-shaping continuum', stresses the importance of investing time and resources in both planning and evaluation concerns when designing spaces in the public realm.

These results build on the literature that advocates for the need to improve knowledge exchange on the values and benefits of investing in the public realm. From a corporate and fiscal' perspective, the value proposition of the public realm is generally unclear. To receive local buy-in, an obvious return on investment beyond the social value public spaces deliver to society needs to be established. Rather than exist on their own terms, public spaces need to be put to work in order to qualify for investment in the eyes of funders and other private partners.

The findings contribute to nascent debates about the role of philanthropy in the public realm. Philanthropic foundations and funders are starting to turn their attention to the need for investment in public spaces; however, the public realm is still generally perceived as a public responsibility. Unlike the United States, where the scale of philanthropic investment interest is greater, funders in Canada are generally not interested in occupying the space currently occupied by government. There is a strong sense in Canada that government has an important role to play, and there is a general interest in working together, not 'crowding out government', or even supplanting them altogether. One preferred partnership model (see 'collaborative managers') would see funders supporting existing local non-profit groups to develop programming ideas for public space, and government retain responsibility for its management.

BEST PRACTICE: 'CITIES FOR PEOPLE' – J.W. MCCONNELL FAMILY FOUNDATION

Launched in early 2014, *Cities for People* supports initiatives contributing to change in cities across Canada and the world. Tapping into a global movement that advocates for livable cities, the program links local efforts across the country with wider movements occurring in other places. The purpose is not to dole out grants for one-off projects, but to support key players in city building who are in a position to create a curated network around a particular area or issue.

For groups with projects seeking funder buy-in, the findings suggest that a strategy that measures success from the outset of a project will increase the likelihood of receiving support. Non-profit groups expecting funding from foundations need to anticipate where barriers may be encountered. For example, if funders fund a group wishing to program a public space that runs contrary to urban design guidelines set out by city planning, then this uncertainty may deter them from allocating resources. Establishing success metrics from the beginning will help sell the project to funders, local officials, and other stakeholders. From a design perspective, developing indicators to measure success also ensures the long-term functionality of a public space continues to reflect the needs and values of a population. This finding align with calls in the literature (e.g. 'post-occupancy evaluation') for research that addresses the deficit of evalu-ation measures in multi-partner public space development projects.

The coming together of public, private, and community partners may offer fresh perspectives, but assembling sustainable partnerships around this model is a challenge. Leading and coordinating public realm projects involve a vast array of stakeholders in development, regulatory, and stewardship roles. There was a consistent feeling that a critical task of addressing competing and overlapping views is often left to an individual champion to take on and build a team of knowledgeable experts. However, this expertise is not always available or consistent over the duration of a project.

The findings diverge slightly from the programmatic ideas found in the case studies advocating for temporary projects that are 'light, quick, and cheap.' The research shows that, while appealing, pilot projects are timid and don't achieve full impact. Many believe that tactful and temporary projects should be accompanied by bold strokes: larger and more flamboyant projects with a more permanent feel to them, and with a strong emphasis on connections to other sites, spaces, and buildings. Striving for a balance of both will move the city away from a patchwork of public spaces to a coherent and structured network.

The findings were consistent with these practical experiences of regulatory and jurisdictional barriers. The complex regulatory and governance environments of municipal governments – the fine print zoning regulations, the multiple city divisions with different jurisdictional claims, and the varied layers of inter-governmental requirements – are typically unclear to the average onlooker. A recurring theme in the interviews was that the city approaches new ideas far too timidly, creating an environment where projects are set up to fail when they are perceived as too ambitious. Some developers and community groups bring forth inspiring ideas to improve the public realm, only to see them watered down or outright rejected. The city's standardized and inflexible design guidelines do not always match the aspirations of project leaders and partners, which discourage future engagement with the city; the feeling that these structures are unshakable discourages people from making repeat submissions. These feelings are exasperated by the silo structure of municipal government, which reflects an uncoordinated patchwork of jurisdiction with both competing and overlapping objectives.

Building on this finding, a key message emerging from this research is that city staff and local politicians need to be open to new opportunities through partnership. This requires reciprocity with communities by taking risks on unknown outcomes, something government officials are often reluctant to do. Not surprisingly, visions and objectives are fundamentally at odds with one another. The way local groups and non-profits approach a project radically differs from the city's approach. Local groups are outcome-driven. They start with a vision and the legalities follow. The city is process-driven. If a vision does not conform to policies, rules, and regulations, there is bound to be some resistance and tension between both parties. It was expressed ad nauseam in the interviews that municipal government operations, particularly those of city planning, are buried in process, which is obstructive rather than enabling. A more enabling system would see the planning and development approval process become more hospitable to innovative ideas and come up with creative ways to accept proposals that don't conform to existing standards.

Despite frustration by some over process-driven outcomes, the findings articulate the importance of optimizing existing policies in the short-term to make some ground. Policy tools such as Section 37 should be used more strategically, with a strong focus on their effect on the public realm, and a stronger integration of community needs and built form considerations. It was felt that there has been a steady increase in the rise of Section 37 funds, but with little public discussion as to their most appropriate use.

Challenge: Planning is too focused on process – policies, rules, and regulations – not outcomes - for example, being preoccupied with height and density requirements over how to get more public spaces.

Opportunity: Put the users of public space at the centre of policy decisions and build investment around them.

BEST PRACTICE AS PART OF *PLANYC*

city-wide planning framework initiative by former Mayor Michael Bloomberg, the city made a policy commitment to ensure that all residents live within a 10 minute walk of a park or open space. This includes opening under-utilized spaces, creating and upgrading parks, and improving the design and maintenance of public space.

Opportunity: Host a community charrette to come up with innovative ideas for how public benefit funds should be best used.

BEST PRACTICE: PARTICIPATORY BUDGETING EXERCISE:

Councillors Shelley Carrol and Josh Matlow have both hosted community meetings to set a schedule of priorities for Section 37 benefits.[xvii]

Introducing new governance approaches for the public realm beyond the government-centred model brings a new host of challenges. Both the literature and our data from case studies and interviews emphasize the importance of including long-term management expertise from the outset, and being realistic about the funding and skill levels available to achieve positive outcomes. In some cases in other jurisdictions, the excitement of creating something new and different often overshadows who will maintain it.

With regards to planning practice, the findings brought new insights into the importance of realistic expectations of what policy can and cannot achieve. Policy tools, such as Section 37, cannot address the totality of public space needs across the city. Funds derived through this tool may fund public open space initiatives in downtown Toronto, but there is no mechanism to transfer this model to areas of the city with no development. This lack of redistributive function prevents poorer areas of the city from receiving Section 37 monies, many of which desperately need improvements in public space. Indeed, questions of equity and access with regards to Section 37 were a key finding of the research. As a policy tool, Section 37 does not amount to comprehensive land use planning – a comprehensive vision that lays out land use policy over a wide geographical area and a long time duration.

Other public and private sources are needed to support operations and programming of public spaces. The findings point to the need for strong fiscal and policy tools to supplement funds raised through this specific tool. Section 37 was never intended to be a revenue tool to provide infrastructure - its purpose is to provide bonus space from specific developments that ask for height exemptions. Its frequent use, however, draws attention to an overreliance on one policy tool to fund capital projects at the expense of others. [xviii]

Related to this finding, were concerns regarding the city's jurisdictional relationship with the province of Ontario. An underlying regulatory challenge still plaguing the city is that they remain a 'creature of the province.' Many observers of municipal finance suggest that Toronto has not yet been able to enshrine the fiscal capacity it so desperately needs. The *City of Toronto Act* [xix], while providing some forms of taxation and revenue generating tools (e.g, vehicle registration and land transfer tax), does not grant significant forms of taxation – for example, the authority to levy larger revenue generators such as income or sales tax. While a smaller finding of the research, some participants remarked that raising taxes is a must if the City of Toronto wants pursue a robust public realm agenda.

BEST PRACTICE – CITY OF TORONTO EDUCATION *BROCHURE ON SECTION 37 BENEFITS:*

Section 37 brochure
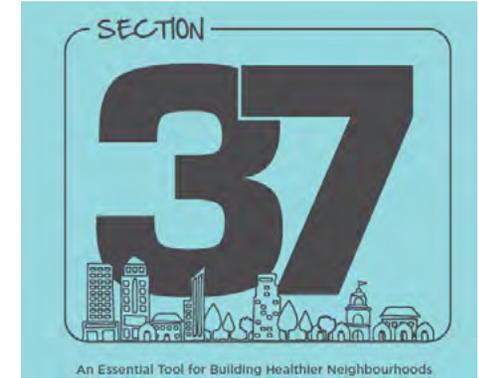
> "The parks that we had came from people. People donated spaces or developers bought spaces and turned them over. The space of the city has always been produced through some public-private partnership or another. The difference is that, today, people need to feel magnanimous in what they are doing in growing the city. We used to build cities that had aspirations and futures, now we have to patted on the back for the smallest gestures."
> (Non-Profit Sector Worker)

In 1873, engineer and architect, John Howard, donated High Park to the people of Toronto. He and wife, Jemina Frances Meikle, continued to live in the residence until John Howard's death in 1890. The property was given to the city and it remains a museum to this day

Colborne Lodge, High Park, Source: Toronto Public Library

# 6. WHAT SHOULD HAPPEN: RECOMMENDATIONS AND POLICY IMPLICATIONS

The following general recommendations offer a framework for action based on existing academic research, lessons from other jurisdictions, and the experiences of local actors.

1. The City of Toronto should develop a wide range of incentives to encourage developers to play an active role in forming the public realm. Specific incentives or exemptions should be considered for development that makes a contribution to the public realm above and beyond standard guidelines and policies.

2. The City of Toronto should lead by example in adopting recent changes in the Provincial Policy Statement to promote coordinated and integrated planning processes. This would entail more collaboration among city divisions (e.g., planning, transportation, culture, or parks and recreation) and a comprehensive approach to land use planning policy.

3. The City of Toronto should develop targeted, outcome-based policy commitments to public space. Outcome-based goals that put users at the centre of decisions resemble enabling frameworks that guide development to put people first. New York City's goal for every resident to live within a 10-minute walk of a quality open space is an exemple of this type of goal.

4. The City of Toronto should place a time restriction on the period between development approval and the issuing of a building permit to allow for a quicker delivery of Section 37 funds.

5. Section 37 should be leveraged to support strategic investments to the public realm. Benefits should relate to specific sites but should be oriented in ways that they form links to other open spaces between buildings. Design solutions adopted in the public realm should have a strong rationale with clear, measurable objectives.

6.The applications of Section 37 should follow more closely the Provincial Policy Statement and Official Plan guidelines regarding the conservation of cultural heritage resources. In addition to funding heritage studies, Section 37 should prioritize the funding of capital improvements to Toronto's heritage assets.

7. The City should consider creating a 'public benefit team' that comprises multiple city divisions (e.g., culture, transportation, planning, environment) when determining what types of benefits to provide through Section 37.

8. The City of Toronto should explore the feasibility of establishing a system-wide 'Public Realm Amount' similar to the Metrolinx Midtown Rapid Transit Program, which levies 1.5% of total construction costs. Exploring the feasibility of establishing a fixed revenue stream for the public space projects above and beyond Section 37 and Section 42 (parkland dedication), as with the 1% for public art program in place, should be explored. This policy change would provide a means for areas that lack development to draw in funds for public space improvements.

9. Public and private resources targeted for the public realm should support existing groups with plans and frameworks in place, such as BIAs, while expanding opportunities to bring new voices into the discussion.

10. The City of Toronto should maximize opportunities to commit to the reuse of city-owned facilities and publically held lands whenever possible. These are one-time- opportunities to ensure these spaces retain their public function as places for residents to use and occupy as part of the public realm.

11. The City of Toronto should integrate stronger partnership practices into policy. Greater flexibility in partnership models is needed so that the aspirations of stakeholders are reconciled, rather than undermined. If the city does not consider ways to reorient its procedures for working with others, then the current system will continue to push people away.

12. The City of Toronto should continue to strengthen communication efforts around policy areas. City divisions must better communicate their policies and objectives on appropriate uses in a non-technical manner so communities can access them freely.

13. The City of Toronto should support the direction of the Provincial Policy Statement to develop community hubs in the public realm that have complementary uses. Expanding usage possibilities to permit the accommodation of multiple public facilities - open space displays, and performances, including exhibition, recreation, and sporting activities – would diversify the public realm experience.

NEXT STEPS

Circulate document to relevant partners at the City of Toronto, development community, non-profit, philanthropic and charitable organizations.
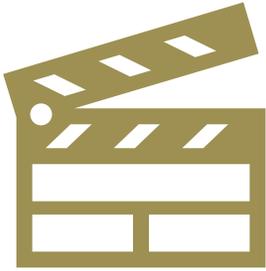
CALL TO ACTION

(1) Don't reinvent the wheel: A general outcome of the research found that providing more resources isn't always the best approach to achieving success. Instead, maximizing existing people and resources is often the most appropriate starting point. Rather than establishing a new body to lead an initiative about the future of the public realm in Toronto, resources should be targeted towards existing groups that have deep ties with the city building community. For example, groups such as the Canadian Urban Institute, Evergreen 'City Works', and The Centre for City Ecology (CCE) are well positioned as catalysts and thought leaders that can work to develop strategic actions that build on preexisting actors, leverage emerging opportunities, and connect people with key resources. Expanding the 'cities for people' project established in Canada by the J.W McConnell foundation could be a starting point.

(2) Public Realm Forum: A key strand of thinking emerging from the findings was the lack of organized opportunities to talk about the future of Toronto's public realm. Informal conversations and one-off meetings are all well and good, but as temporary measures they are limited in what they can achieve. Toronto needs to mobilize people and resources to face challenges in the public realm in a forum format, such as a public charrette. This would involve convening groups from across sectors: city agencies and outside partners in academic, business, civic, charitable, and community roles in a series of roundtables about what the levers of change are in the areas of governance, investment approaches, and public policy. Following a design thinking approach, one goal could be to target different policy areas at various levels of government, and determine which levers drive results. For example, developing strategies to link social finance tools, like community bonds, with Section 37 funds and other matching sources. From there, outlining a roadmap for how to achieve these goals will provide a starting point for stakeholders to develop prototypes that can be tested in physical spaces in Toronto.

On a citywide level, starting a conversation about how public spaces change in the future, and who is going to look after them, is one that philanthropic foundations may be best positioned to begin. They have the means to convene stakeholders from diverse areas. They can provide support at variety of different levels (individual, organizational, or community partnerships) and can facilitate the conditions for leadership to emerge.

Opportunity: Supporting the development of an existing site for an experiment in public space design, programming, and stewardship that emphasizes connections:

ALLAN GARDENS PARK:

Allan Gardens has played an important role in cultural and political history of Toronto. Historically, the park was conceived as a public space for experimentation, invention, and education. It began as a botanical garden in the 1860s, and now exists as a fully functioning public park complete with a conservatory filled with horticultural displays. In addition, civic gatherings, lectures, concerts, and demonstrations have passed through the park over the years, making it a valuable hub for the nearby community. Recently, local parks group, 'Friends of Allan Gardens" (FOAG) has been taking steps towards realizing a new vision of the park and new partnership opportunities to work with the city. [xx] The group believes that "in an era of increasing public awareness and interest in public space issues, Allan Gardens can serve once again as a fitting venue for exploration of creative ideas and future potentials." [xxi] The group is currently working to test new ideas, such as a public design competition, for the park.

Allan Gardens also serves a significant cultural landscape. Shaped by a rich history, the park is heightened by its connection back to the city, including streets, open spaces, and the waterfront. Allan Gardens is bordered by Jarvis street to the east, an important 'cultural corridor' that connects the city's waterfront with heritage and cultural assets in the city core. The park can act as both a destination point and anchor integrated with the broader local park system and patterns of smaller public spaces, promenades, and squares. Accordingly, Allan Garden's long history as a venue for public life in the city makes it well positioned to be a laboratory for new ideas in design and public space experimentation.

Allan Gardens Park, Source: ERA architects

"When the city and councillors direct money into the street and think about walkability, it does the city a service. The reality is when we are walking around, we see the first six stories, and the rest of it is not in our purview. The public realm is what we understand. You notice where people have spent money because you interact with it differently." (Local Architect)

"It's in the city's interest to have more public realm in perpetuity" (City Councillor)

7. CONCLUSION

This report investigated trends and practices tied to investment in the public realm. There were several key messages that emerged from this research:

• As public-private and multi-sectoral partnerships increase in the public realm, there is a need to understand what the most appropriate governance arrangement should be. A strategy for the maintenance of public spaces is essential, yet often overlooked.

• The value proposition for public space is often ill-defined, making it challenging for local non-profits to make the economic case to non-governmental partners.

• Section 37 monies are being used to fund public open space projects, primarily in downtown areas experiencing high growth. Low-growth areas outside of the downtown core receive substantially less in contributions.

• While Section 37 is not intended to be a redistributive mechanism, it does point to a growing deficit of community infrastructure (e.g., public space) citywide.

• Placemaking has become a popular buzzword and image for public space activation – but the local context must be placed in focus first, as opposed to importing templates or models from other jurisdictions. The design and programming of the public realm must remain sensitive to cultural value within the local context.

• Policy goals, such as cultural planning and cultural landscapes, that are human-centred will unlock public realm policies and align them more closely with aspirations and innovations of communities.

• The risk-averse critique of City Hall that enormously dilutes the possibilities for change is overstated yet real. Outside leaders, like foundations or other non-governmental partners, need to convene all leaders and stakeholders and start a dialogue that sets priorities about the future of governing the public realm.

• The issue of silos has created a circular debate that leads to blaming wars, rather than change. All stakeholders need to be open and flexible to new governance approaches that work with government, not around them.

• Uniform procedural and policy standards where everyone is treated the same ignore the variation in social and economic disparity across cities such as Toronto. The current system favours residents and groups with the most wherewithal and knowledge of how to navigate city hall.

   A substantive, sweeping intervention is needed to raise expectations for what is possible in the public realm beyond the status-quo. Allan Gardens park is physical space that is well positioned to host such an intervention.

The findings of the report offer a number of relevant insights for policymakers to consider with regards to the public realm. In doing so, the importance of recognizing the challenges of existing approaches is noted, as is the need for more integrated policy and partnerships in Toronto. Public-private arrangements, by their nature, make things more complex. They also bring with them diverse ownership and management arrangements. For each project, the group of stakeholders is different and a project champion is required to push a project forward. Public-private partnerships bring both risks and rewards, and this research has revealed that cities around the world, including Toronto, are still in their infancy in trying to develop sustainable models.

The report shared examples of projects around that world that marshal resources from different areas and channel them into a public realm investment. It used the concept of 'place shaping continuum' to explore design, development, use, and management issues related to spaces in the public realm, including the policy, contextual, and relational factors that shape how they are used. In the short term, policy tools like Section 37 should be optimized in a way that strategically focuses investment in the public realm. In the long term, more priority setting is required of how

to best target policy areas to ensure the highest of standards are achieved for Toronto's public realm. All visions need to include both downtown and outlying areas of the city to ensure an equitable spatial order of the city.

It was shown that as Toronto continues to build up and out (e.g., densification) there is a strong need to develop a vibrant public realm that places emphasis on connections. Elevating the priority of the public realm in the minds of politicians, the development industry, and the public at large is the task ahead. The cost of inaction is substantial if the city plans to move forward in earnest with the production of its public realm in a thoughtful and intelligent manner.

APPENDIX A: KEY TERMS

Public Space: A communal or social space that is open and accessible to all people.

Public Realm: A city's shared assets. All physical spaces between buildings, including public streets and lanes, parks and other open spaces, greens, commons, promenades, squares, markets, public buildings, and the publicly-accessible parts of buildings and right-of-ways.

Community Benefit: Capital facility or amenity (i.e., recreation centre, library, theatre, streetscape improvement) provided by a developer in exchange for added height and/or density beyond what is permitted in the zoning by-law.

Community Bond: an interest-bearing loan that allows a nonprofit to leverage its community of supporters to pursue its mission, build its resiliency, and create more vibrant communities.

Complementary uses: uses that support the livelihood of arts and culture alongside other uses in the public realm: promenades, squares, parks, restaurants, and similar open spaces in the public realm

Cultural Space: City-owned, operated, or public-private space that house facilities, and related operations and programming for cultural purposes under the following categories: Performance; exhibition and visual arts; screen-based; library; multipurpose, and heritage. These categories are consistent with the federal government's statistical frameworks for culture and used by federal cultural infrastructure funding programs.

Creative Reuse: the reuse and integration of existing facilities, structures and resources, including extending the life of existing buildings.

Design thinking: Intentionally solving a problem through the creation of new and innovative ideas. A design thinking approach is not limited to a specific discipline or area of expertise and is often carried out in collaboration with others.

Multipurpose Space: Space that is not purpose-built and contains a range of cultural activity across fields available for public use. Examples of such spaces include, but are no limited to: parks, community centres, recreation centres, public squares, religious institutions, and schools.

Placemaking: The activation of new or existing spaces through a community-focused plan-ning, design, management, and programming of public spaces.

Public-Private Partnership (PPP) comprises a government service or private venture funded and operated through a partnership between public and private partners. PPP's are arranged through a contractual relationship between government and private ventures. A private stake-holder often provides a public service or project and assumes financial and operational risk, although risk is not always shared equally between partners.

APPENDIX B: END NOTES

[i] Originating from Environmental Psychology, POE can be defined as "the systematic assessment of the process of delivering buildings or other designed settings or of the performance of those settings as they are actually used, or both, as compared to a set of implicit or explicit standards, with the intention of improving the process or settings" (Zimring, 2002). Further, POE focuses on "assessing user satisfaction, user assessment of building comfort and function-ality, and user behavior using self-report methods such as questionnaires and interviews and direct observation of user behavior" (Zimring, 2002)

[ii] Carr (1992) identifies 11 functional types of public space that contribute to the public realm:

1. **Public parks**
2. **Square and plazas**
3. **Memorials**
4. **Markets**
5. **Streets**
6. **Playgrounds**
7. **Community open spaces**
8. **Greenways and parkways**
9. **Atrium/indoor marketplaces**
10. **Found spaces/everyday spaces**
11. **Waterfronts**

[iii] Carmona's (2008) typology of rights and responsibility. (a) Public space denotes publically owned and managed space that is always open and available for use. (b) Public-private space includes space owned by the public sector or by a pseudo-public organization (e.g. a charitable trust, university, religious institution or community organization) where some restrictions are maintained on use. (c) Private-public space reflects space owned and managed by the private sector but where public access is allowed, typically with some restrictions. (d) Private space refers to external spaces that are private and not open to the public (spaces in this category were only counted if visible from the public realm).

[iv] Privately Owned Public Spaces (POPs) are considered an amenity provided and maintained by a developer for the public to use. These spaces exist due to incentive zoning policies that provide a bonus (typically in the form of additional floor area) in exchange for the provision of outdoor spaces such as plazas, arcades, open air markets, as well as visual or performing art spaces, subway improvements, all the way to affordable housing spaces. The most popular POPS are non-commercial plazas located at street level.

[v] This shift is often attributed to the recognition of a 'new public management' approach to governance, which entails a modernization and reorganization of how governments deliver services. However, these models have been critiqued for having a neo-liberal slant that sees such arrangements disproportionally favour the market at the expense of the public good.

[vi] PPP's are more common among large-scale (e.g., national and regional) infrastructure projects such as transit and highways. However, they are becoming more widespread in public open space management in areas such as parks.

[vii] Involving the private sector in traditionally public areas has been met with varying degrees

of criticism. The impact of globalization on the design, development, and use of public spaces threatens to sever their connection to localities. Public space is recognized as a valuable commercial commodity by governments, designed to ensure visitors perceive their destination as safe and secure. However, some fear that this global perception may create new aspirations and ambitions that may deplete the democratic function of public space.

viii From a governance perspective, two principle challenges can be identified from the literature: under-managed public space and over-managed public space. The first sees a general neglect of our public spaces and forms of exclusion that result in certain social groups using the space, and others retreating to private and domestic spaces. The second concern is weary of too much programing in public spaces by private bodies because they may turn into venues for consumption and entertainment at the expense of equal access for groups with different social and economic means. Under-management of space often sparks resurgence in the conceptualization of public spaces, which inevitably leads to standards, and design guidelines that in turn have the potential to homogenize public space. Achieving a balance between managing public space and over-managing public space is a key challenge for public space management. Effective markers of public space are those that deflect degrees of homogeniza-tion from global influences and still feel different and grounded in the local context.

ix A recent study on parks governance in Toronto identified four partnership models that could be used to achieve a public-private partnership, and are currently being exercised in North America. (1) 'Community Groups' (Follows the 'friends of the park' model that sees local residents volunteers to take care, and advocate for, their park in an informal manner. (2) 'Leasers': This arrangement sees the city lease a structure within a park (e.g., community centre) to a local operator, such as a non-profit, to operate and manage with the city taking on the responsibility of managing the surrounding parkland. (3). 'Collaborative Managers': This model permits a group to enter into a formalized relationship with a parks department, splitting responsibility over operation and management between city and external partner. (4). 'Sole Managers': Full park responsibly – capital projects, construction, maintenance and operations - is left to a non-profit or private group. The city has little-to-no involvement.

x http://publicspaces.ca/wp-content/uploads/2011/12/Parks-People-and-Participation_The-Toronto-Experience.pdf m

xi Silberberg, Susan & Katie Lorah. 2013. 'Places in the Making: How placemaking builds places and communities' Massachusetts Institute of Technology (MIT), Department of Urban Studies and Planning

xii Personal communication: Elyse Parker, Director Public Realm Section, Transportation Services. City of Toronto. 19th December 2014.

xiii The City of Toronto recently commissioned a review of Section 37 to improve the clarity and transparency of planning policy and procedures. Part of the Section 37 review process is to explore whether a standard formula for determining the value of community benefits derived from development is feasible. Under the current system, there is no systematic way of determining whether the value and amounts are proportional to the land value increase. In response to the Province's land use review, the city has recommend the province amend the Planning act that allow municipalities to establish a value-based formula, an approach that

would require a specific amount of benefits (i.e., 10 affordable housing units, 1 daycare) based on the increase in land value from additional density. This would be a change from the current approach that involves case-by-case negotiations on a site-specific basis The City is currently considering recommendations, and plans to report back in early 2015.

xiv The process to determine benefits has been criticized for a lack of criteria - negotiations that determine the type, use, and allocation of Section 37 contributions appear to be 'ad-hoc' and take place 'behind closed doors.' Recent Research has found that no citywide criteria for determining benefits has been adopted, nor any consistent approach to deciding which types of benefits to implement.

xv Personal communication, Carolle Saunders, PFR GM Office Public relations city of Toronto. 23 October 2014.

xvi http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=1d3c1459a55e4410VgnVC-M10000071d60f89RCRD

xvii *http://www.thestar.com/news/city_hall/toronto2014election/2014/06/20/how_would_you_spend_500000_big_money_at_stake_in_participatory_budgeting_experiment.html# http://joshmatlow.ca/josh-in-the-news/860-town-crier-community-has-its-say.html*

xviii The city of Toronto secures public benefits through private development in a number of ways. The provision of public infrastructure, facilities, and amenities are gained through development charges, property taxes, commercial business levies, advertising and billboard taxes, provincial tax transfer payments, and federal excise taxes, such as the Gas Tax. Other fiscal tools include tobacco taxes, special tax districts, tax-increment financing. Investments are also financed and through non-public entities, such as the philanthropic and charitable sectors, in the form of social finance and community bonds. Assessing the merits of these approaches is beyond the scope of this paper, but they speak to the need for establishing more dedicated revenue streams that will help support planning objectives related to the public realm on a citywide basis.

xix The City of Toronto Act (2006) bestows the city with greater powers to make Toronto fiscally sound, autonomous, and accountable. The Act grants the city exclusive powers to deliver municipal programs and services. The legislation explicitly reads, "the city may provide any service or thing that the city considers necessary or desirable for the public." The act is intended to help the city achieve important public policy objectives and raise new revenues to deliver under-funded municipal programs and services.

xx Martin Prosperity Institute and Toronto Park People. (2014). 'Growing Opportunities: Investing in, revitalizing, and sustaining Allan Gardens.' The mission of the park group is to revitalize the park through thoughtful strategies that will improve open spaces, nurture local culture and attract a larger and more diverse group of users

xxi Friends of Allan Gardens. (2012). A brief history of Allan Gardens. Retrieved from: *http://www.friendsofallangardens.ca/allangardens.html.*

APPENDIX C: SOURCES

The 'what we heard' section content of this report was informed by 20 informal interviews with city staff, city councilors, development industry officials, and key individuals from relevant organizations in the philanthropic, charitable, and non-profit sectors. Participants opted to remain anonymous for the study.

The following are a list of sources used to inform the research of this report.

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