



# Corporate Report

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**DATE:** June 3, 2008

**TO:** Members of Planning & Development Committee  
Meeting Date: June 23, 2008

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Overview of Form Based Codes**

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**RECOMMENDATION:** That the Report dated June 3, 2008, from the Commissioner of Planning and Building entitled *Overview of Form Based Codes*, be received as information and that staff continue to provide further updates related to considerations for implementing Form Based Codes in conjunction with the District Policy Review studies underway for Port Credit and Lakeview and any future District Policy Reviews.

**BACKGROUND:** Form Based Codes (FBCs) are a unique method of regulating development to achieve a specific urban form and special character for communities. They have become increasingly popular in the United States with interest gaining in Canada. A primary objective of Form Based Codes is to reinforce the unique attributes of special character areas and create complete built environments that are sustainable, diverse in use, memorable and geared to the pedestrian experience.

**COMMENTS:** In February 2008, the Planning and Building Department held an intensive 3-day workshop for its staff on FBCs with a view to considering these in conjunction with the District Policy Review studies that are underway including those for Port Credit and Lakeview and any future District Policy Reviews. The workshop was facilitated by the Form Based Codes Institute of Chicago, with other City Departments in attendance. Legal Services staff and representatives from the Ministry of Municipal Affairs and

Housing were also present to provide a perspective on the feasibility of adopting form-based codes in conjunction with the *Planning Act*, the City's Official Plan and Zoning By-law.

### **Form Based Codes Concept**

As a framework for development, Form Based Codes take a holistic approach to building communities. They weave together the tools of planning, urban design, architecture, landscape and transportation along with recognized principles of urbanism and place making to achieve remarkable built environments and an urban form that is pedestrian supportive and unique in character.

FBCs place an emphasis on the importance of the built-environment and the design of the public realm, with a lesser emphasis on land use. They consider the location of building types and how buildings relate to one another; how buildings are organized on their sites to proportionately frame streets and open space; and can reinforce important relationships in the design of buildings based on the attributes and physical character of an area.

A key aspect of Form Based Codes is that they enshrine a community vision that is determined at the outset. The vision is supported by a series of regulations that provide a high level of certainty and outcome for development.

In contrast to the planning framework in Ontario, FBCs incorporate architectural graphics and annotated illustrations as a distinguishing feature. They convey the intent of how all aspects of development will unfold in accordance with the vision. These include the details of infrastructure, public amenities, built-form characteristics, landscaping, streetscaping and signage.

### **A Comparative Overview:**

#### **Planning Act Regulations versus Form Based Codes**

The *Planning Act* enables municipalities in Ontario to establish Official Plans, enact Zoning By-laws and identify Site Plan control areas. Official Plans set out the basic goals, objectives and directions for long term growth and development in a municipality including general aspects related to the public realm such as streets and open space. Zoning provides a set of separate regulations

governing land use that is used to implement the Official Plan, including zones for development and development standards for each permitted use. Finally, Site Plan Control allows for the review of site design issues including the massing and conceptual design of buildings and landscape requirements.

As a result of the current planning system in Ontario, the approach to development through Zoning, has the potential to produce environments that are less cohesive and somewhat lacking in character. This is attributed to the fact that Zoning By-laws in their written form separate land use into distinct categories with regulations that prescribe aspects such as height, bulk, location, size, floor area, spacing, character, setbacks and parking requirements. Another consideration is that Zoning only regulates development within the limits of private property. As such, this approach has the tendency to produce an entirely different development outcome when compared to those created by Form Based Codes which allows development to proceed in an integrated, holistic fashion (see Appendix I – Page 1).

Form Based Codes deploy many of the same tools to regulate development like that of the *Planning Act* under Section(s) 34 and 41 related to Zoning and Site Plan Control respectively. However, when compared to the current planning system in Ontario, FBCs intentionally regulate development in an inverted, but strategic manner:

1. *Establishing the Vision.* Form Based Codes prescribe how all aspects of development will unfold according to a desired vision that is determined at the outset for a particular community, district or area.
2. *The Overall Plan.* The overall plan illustrates the intent of the desired vision identifying the location of buildings and structures, the organization of streets, parks and open space, landscaping, community amenities; and the determination of land uses in relation to street frontages.
3. *Specifications / Regulations to Achieve the Vision and Overall Plan.* Flowing from the overall plan are regulations that prescribe how the above noted elements

will be realized through precise specifications and detailed annotated graphics.

### **Form Based Codes Components**

Typically, FBCs consist of a number of components that are interrelated. These set out the regulations and controls for which development should comply:

- *Illustrative Plan.* Sets out the vision from community intentions regarding the physical character of the area, depicts the streets, lot fabric, civic buildings, amenities, open space and general landscaping of the district (see Appendix 1 – Page 2).
- *Regulating Plan.* A plan or map of the regulated area designating the locations where different building forms may be located and how uses are assigned according to street frontages (see Appendix 1 – Page 3).
- *Building Form Standards.* Regulations that control the configuration, features, and functions of buildings that define and shape the public realm. (See Appendix 1 – Page 4).
- *Public Space Standards.* Specifications for the elements such as sidewalks, medians, travel lanes, on-street parking, street trees, street furniture, pedestrian scale lighting, etc. (See Appendix 1 – Page 5).

In some cases Form Based Codes may also incorporate:

- *Landscaping Standards.* Codes that control landscape design and plant materials on private property as they impact public spaces (e.g. regulations about parking lot screening and shading, maintaining sight lines, ensuring unobstructed pedestrian movements, etc.).
- *Signage Standards.* Regulations that control allowable signage sizes, materials, illumination and placement.

- *Environmental Standards.* Codes that regulate issues such as storm water drainage and infiltration, development on slopes, tree protection, solar access, etc.

Architectural standards (see Appendix 1 – Page 6) may also be included to regulate building styles, exterior materials, colours and details, the size and positioning of windows and doors, and the character of lighting on buildings. However, architectural standards should be carefully considered in order to accommodate some measure of ‘flexibility’ for designers. Aesthetic standards should also strive to balance architectural aspects with vernacular contexts and should have regard for community aspirations and values.

It should be noted that the recent amendments to the *Planning Act*, concerning architectural control and sustainable design through *Bill 51* would also lend themselves to Form Based Codes. Staff are working on developing the appropriate policies for inclusion in the City’s Official Plan.

### **Form Based Codes versus Urban Design Policies and Design Guidelines**

Form Based Codes are not the equivalent of urban design policy statements contained in official plans nor are they district policies because of their comprehensive and detailed approach to dealing with development. FBCs also differentiate from urban design guidelines in that they require compliance with development standards, whereas urban design guidelines serve as a framework to evaluate development proposals and are difficult to apply consistently. Guidelines also offer room for subjective interpretation and can be difficult to enforce as they are not legally binding. Urban design guidelines also have the propensity to provide less certainty in the outcome of development because they guide development in a more flexible manner versus Form Based Codes which are compliance based.

### **How and Where Form Based Codes Have Been Used**

Form Based Codes have been used successfully in developments throughout the United States, notably in those that enshrine

traditional neighbourhood design principles. It should be noted that FBCs can apply to complete new developments as well as established communities because they effectively define and codify a neighborhood's character and "DNA.". They have also been used to ensure compatible infill development in context-sensitive areas, such as traditional main streets, villages, historic cores and districts (see Appendix 1 – Page 7).

To some degree, a form-based approach has been used by the City of Mississauga on a site-specific basis in areas such as Port Credit and the City Centre, but not to the same extent or outcome that Form Based Codes could achieve. As such, the Planning and Building Department has identified a number of benefits that could be realized by introducing FBCs into the City's existing planning framework.

**FINANCIAL IMPACT:** There is no financial impact resulting from this report.

**CONCLUSION:** When implemented through a comprehensive vision established at the outset, supported by detailed design regulations and architectural standards, Form Based Codes have the ability to produce remarkable built environments in new development and can also achieve compatible infill buildings in existing areas having an established context and particular architectural character. Examples to illustrate the various components of Form Based Codes are attached in Appendix 1 (Pages 2 – 7).

Moreover, in shaping the future of Mississauga's unique communities and special character areas, staff will be investigating the viability of Form Based Codes as a regulatory tool to achieve higher quality development that can respond to context-sensitive areas in the City, particularly as they relate to the district policy studies that are underway for Port Credit, Lakeview and Clarkson, including Downtown 21 / City Centre. Also, as staff proceed with additional training on Form Based Codes, further updates will be provided on next steps including considerations for implementation.

ATTACHMENTS:

Appendix I :

PAGE 1 Comparison of Development Outcomes,  
Conventional Zoning vs Form Based Codes

PAGES 2-7 Sample Form Based Codes

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Edward R. Sajecki

Commissioner of Planning and Building

*Prepared by Steven Bell, Urban Designer*

## COMPARISON OF DEVELOPMENT OUTCOMES

### CONVENTIONAL ZONING



RESIDENTIAL DEVELOPMENT  
THROUGH CONVENTIONAL ZONING

### FORM BASED CODES



FBC RESIDENTIAL DEVELOPMENT WITH  
MIXED FORM/TYPOLOGY)



COMMERCIAL DEVELOPMENT  
THROUGH CONVENTIONAL ZONING



FBC MIXED USE DEVELOPMENT  
(Commercial and Residential)



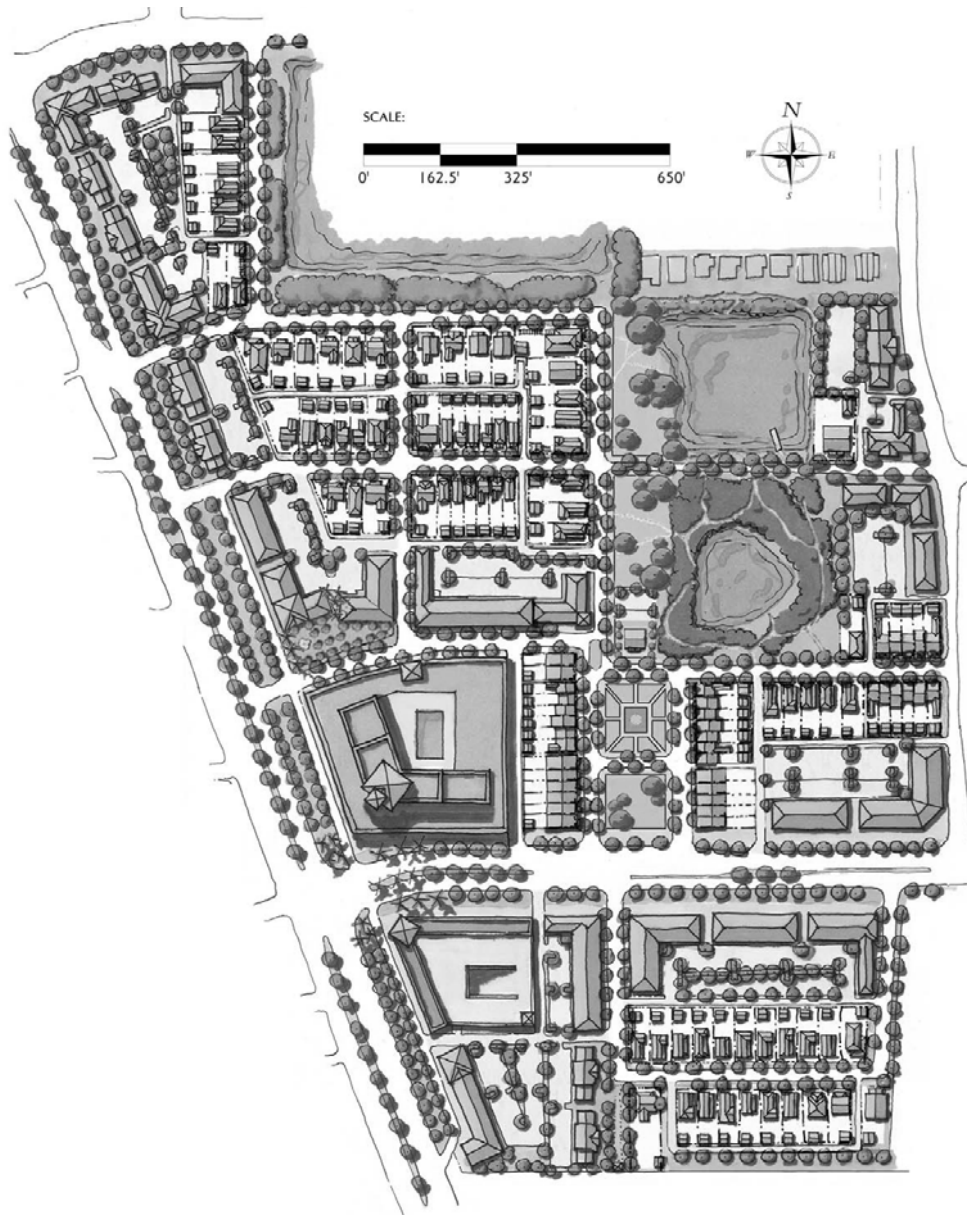


## SAMPLE FORM BASED CODES

source: *Form Based Codes Institute, Chicago*

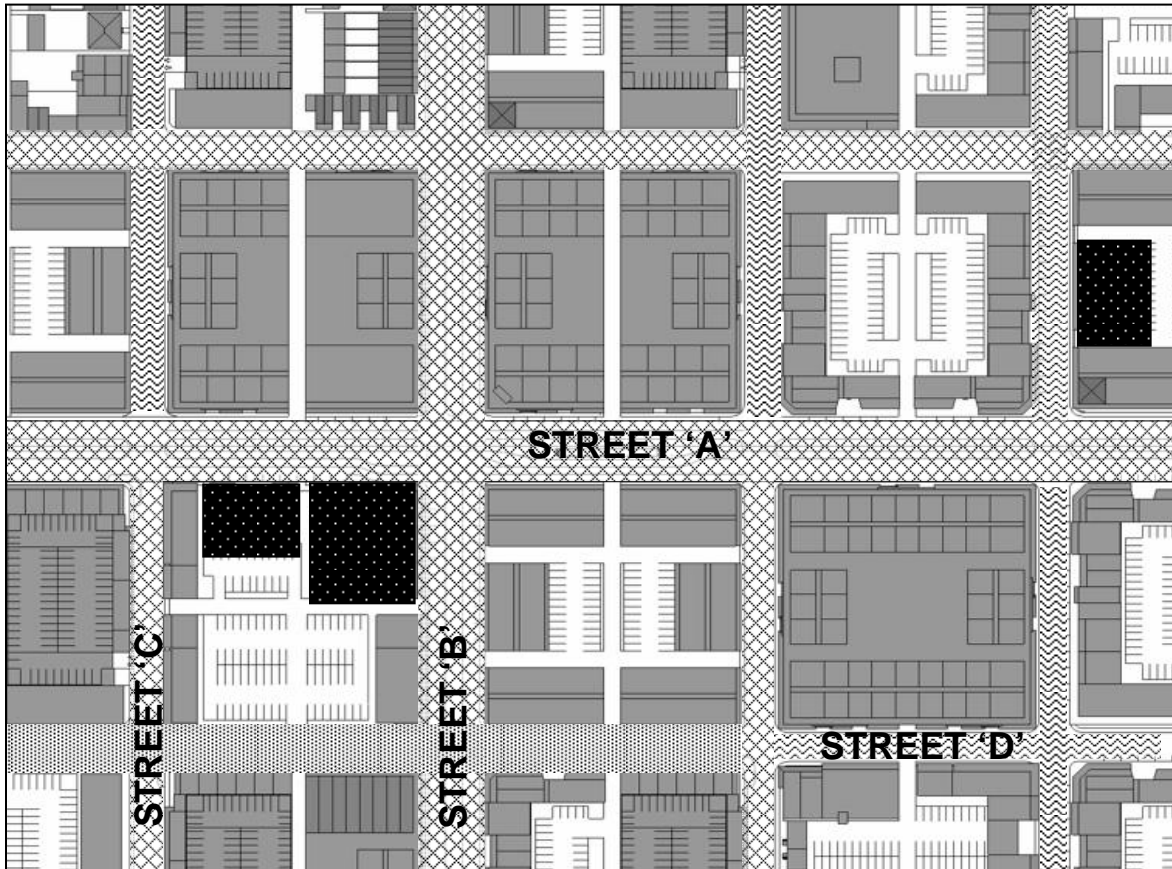
### The Illustrative Plan

Sets out the vision, depicts the streets, lot fabric, civic buildings, amenities, open space and general landscaping of the



**Regulating Plan**

The Regulating Plan designates the acceptable building type for any given lot and works hand-in-hand with the urban standards for rules regarding the particular details for each of the lots types, such as fixed setback locations, required frontage elements, tower locations and terminated vistas.



**Building Type Coding by Street Frontage:**



Retail Street Frontage



Institutional Frontage



Residential Frontage

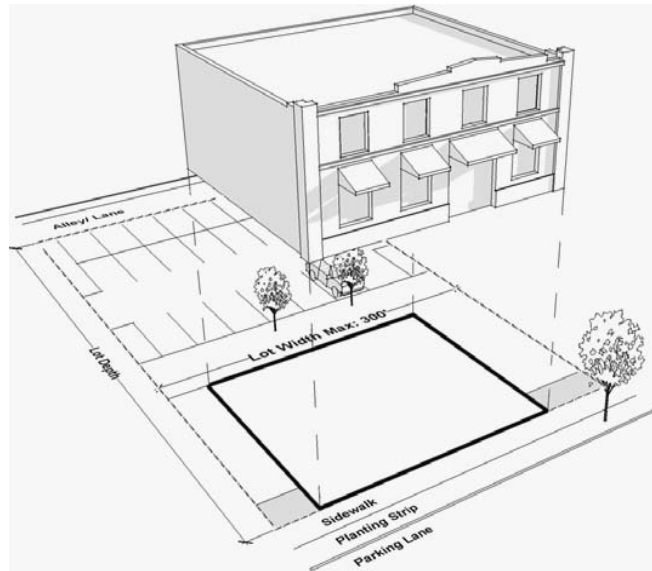


Civic & Cultural Buildings

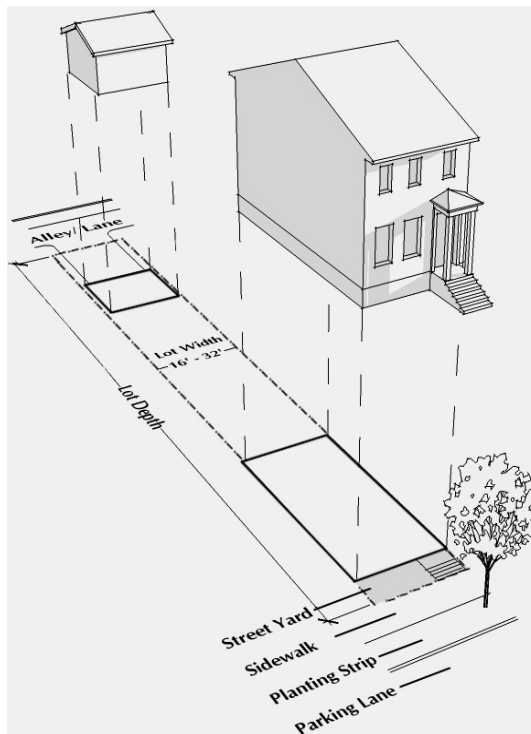
## SAMPLE FORM BASED CODES

### Building Form Standards

The urban regulations establish the physical and functional relationships between buildings. It regulates the rules related to building placement such as setbacks, build-to lines, lot coverage, lot frontage, uses, height, and parking.



RETAIL FRONTAGE BUILDINGS



RESIDENTIAL FRONTAGE BUILDINGS

## SAMPLE FORM BASED CODES

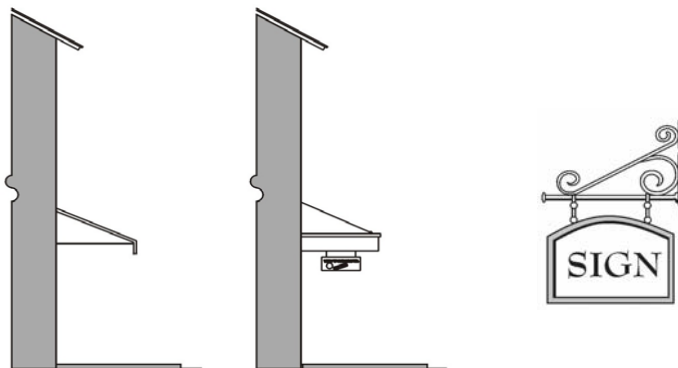
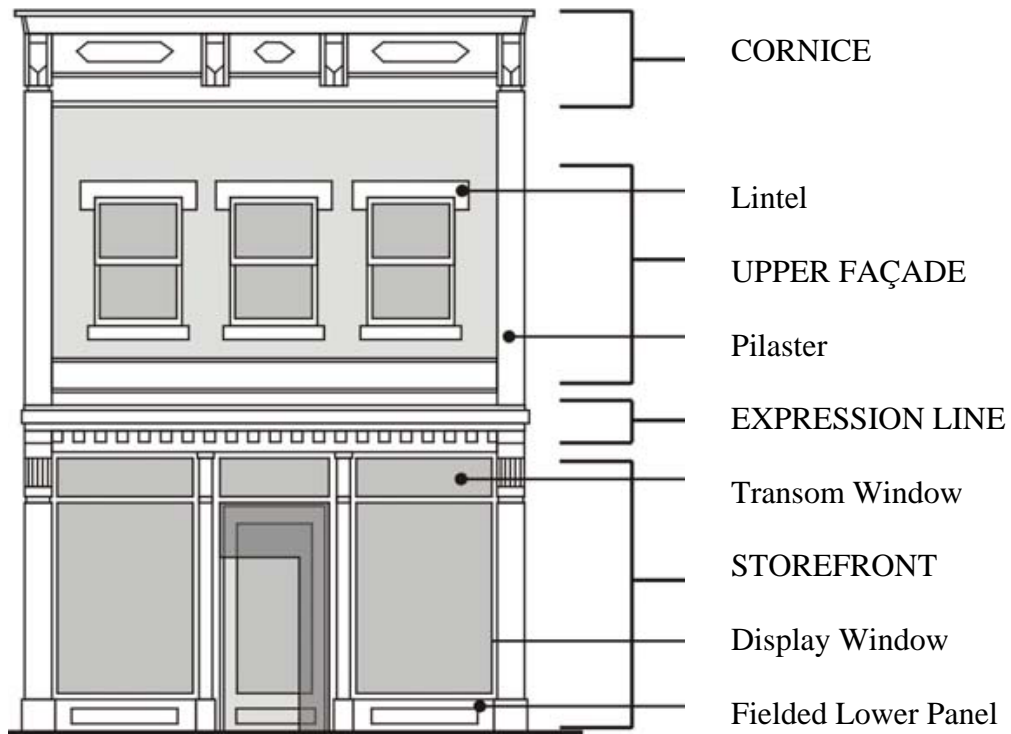
### Public Space Standards

The Street Standards specify roadways, sidewalks, planting areas, street tree locations, and street lights. The street types are assigned to appropriate locations in the Regulating Plan.



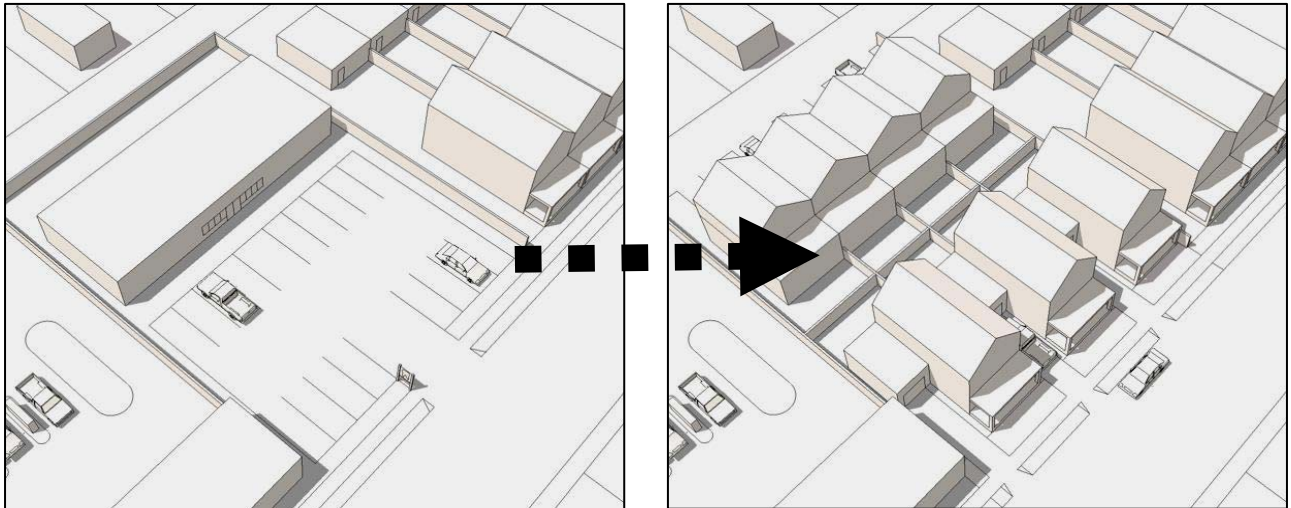
## Architectural Standards (Optional Layer)

The architectural regulations set out requirements for building materials, character defining elements, details and signage aspects that contribute to the neighbourhood's identity and distinctive character.



### **Form Based Codes as a Tool for Facilitating Infill Development**

Form Based Codes can be used to achieve compatible infill development where a special context or character exists within a district.



A parking lot is redeveloped into residential uses, with an expression of built-form that is compatible with the existing context and architectural character of neighbouring buildings.