

Our Plan Toronto: Protected Major Transit Station Area Delineations - Downtown and City-wide Interpretation Policies - Final Report

Date: December 15, 2021

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

In June 2020, City Planning initiated the Growth Plan Conformity and Municipal Comprehensive Review ("MCR") which includes the delineation of 180+ potential Major Transit Station Areas (MTSAs) to meet Provincial minimum intensification requirements. A subset of MTSAs will be identified as Protected Major Transit Station Areas (PMTSAs), where inclusionary zoning By-laws can be implemented. An equity lens is being applied to this work program that prioritizes the delineation of PMTSAs to enable the implementation of inclusionary zoning as an affordable housing tool, where market conditions could support it.

This report recommends adoption of Official Plan Amendment 524 (OPA 524) that delineates sixteen PMTSAs in the Downtown Secondary Plan area and provide interpretation policies to guide the implementation of MTSAs and PMTSAs across the City, as well as other technical amendments to integrate such matters into the Official Plan. The recommended OPA reflects feedback received through consultations on the draft delineations and policy directions since presented to Planning and Housing Committee on April 21, 2021.

The 16 PMTSA delineations included in OPA 524 address the requirements of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") and Section 16(15) of the *Planning Act*. Approval of OPA 524 would allow for the application of the in effect inclusionary zoning framework within the delineated areas receive Ministerial approval.

The recommended Site and Area Specific Policies (SASPs) for the Downtown PMTSAs establish minimum density targets (residents and jobs per hectare) and minimum development density requirements (Floor Space Index ("FSI") or minimum number of units) that are consistent with the Minister approved Downtown Plan, and Section 16(15) of the *Planning Act*. They do not propose changes to maximum development permissions. The SASPs identifying and delineating the sixteen PMTSAs were

developed through interpretation of the Downtown Plan policies, land use designations, and the existing development pipeline. The Minister of Municipal Affairs and Housing is the approval authority for the delineation of Protected Major Transit Stations Areas. There is no appeal of the Minister's decision.

OPA 524 for the Downtown PMTSAs introduces a new Chapter 8 to the Official Plan that would include all SASPs for MTSAs and PMTSAs across the City. The recommended Chapter 8 policies are to be read in conjunction with the other relevant policies of the Plan.

OPA 524 provides interpretation policies, additional guidance and technical Official Plan revisions to implement the PMTSAs and MTSAs included in Chapter 8. It was determined that rather than repeat each of these policies within each delineation, that they would apply to all delineations. If there is a reason to deviate from the general policies, those would be set out in each individual delineation. This will ensure a more consistent approach across the City and consistent with the structure of the Official Plan. This includes both policies and non-policy text, intended to assist in applying the Site and Area Specific Policies and reinforce the existing objectives and vision of the Official Plan.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning, recommends that:

1. City Council adopt Official Plan Amendment 524 substantially in accordance with Attachment 2 to the report (December 15, 2021) from the Chief Planner and Executive Director, City Planning.
2. City Council authorize the Chief Planner and Executive Director, City Planning to seek approval of the Minister of Municipal Affairs and Housing of Official Plan Amendment 524 under Section 17 of the *Planning Act* for Protected Major Transit Station Areas pursuant to Section 16(15) of the *Planning Act*.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment, as may be required.
4. City Council direct the Chief Planner and Executive Director, City Planning to include capital and staffing resources in the 2023 capital budget to undertake the necessary zoning review of all Major Transit Station Areas and Protected Major Transit Station Areas following Ministerial approval.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations. This work is part of the reported 2021 Operating Budget.

EQUITY IMPACT STATEMENT

The Official Plan provides a vision for the City grounded in principles that assure a successful and healthy future. A founding principle of the Official Plan is that Toronto's future must be diverse, inclusive and equitable. The provision of adequate and affordable housing is the cornerstone of building inclusive and equitable communities.

The recommended Official Plan Amendment (OPA 524) advances the implementation of Provincial policy requirements and directions that would enable the use of inclusionary zoning policies, which can increase the supply of affordable housing across the City.

DECISION HISTORY

At its meeting on May 22, 23, and 24, 2018 City Council adopted the Downtown Official Plan Amendment No. 406 (the Downtown Plan). OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area. The Decision History can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>

On June 5, 2019, the Minister of Municipal Affairs and Housing issued a Notice of Decision approving Official Plan Amendment No. 406 (the Downtown Plan) with modifications bringing the Downtown Plan into force and effect. The Minister's approval can be found here: <https://www.toronto.ca/legdocs/refdocs/11189.pdf>

At its meeting on June 29, 2020, City Council approved the recommended approach and work plan Growth Plan Conformity and Municipal Comprehensive Review (MCR) - Work Plan (PH 14.4). Council approved a prioritization strategy for the delineation of 180+ Major Transit Station Areas (MTSAs) across the City that advances the delineation of PMTSAs before completion of the MCR to support the implementation of the in effect inclusionary zoning framework. The Decision History can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>

At its meeting on December 16, 2020, City Council adopted Official Plan Amendment 482 (OPA 482), Protected Major Transit Station Areas, for the Finch West Transit Station Area and Sentinel Transit Station Area, and Official Plan Amendment 482 (OPA 483), Keele Finch Secondary Plan. OPA 482 introduced the City's first Protected Major Transit Station Areas under section 16(15) of the *Planning Act*. OPA 482 has been submitted to the Minister of Municipal Affairs and Housing for approval.

The Decision History can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH19.1>

At its meeting on April 22, 2021, the Planning and Housing Committee authorized the Chief Planner and Executive Director, City Planning to use the draft Official Plan Amendment 524 (OPA 524) for Protected Major Transit Station Areas within the

Downtown Plan and Draft Citywide Major Transit Station Area (MTSA) Policy Directions as the basis for consultation and to bring forward a Final Report by the fourth quarter of 2021. The Decision History can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH22.6>

BACKGROUND

In June 2020, City Council approved the work plan for the City-initiated Growth Plan Conformity and [Municipal Comprehensive Review](#) (MCR). A significant component of this work is the implementation of an intensification strategy that directs [Transit Oriented Development](#) (TOD) and prioritizes growth where transit and other infrastructure currently exist or is planned. A summary of Frequently Used Terms is included in Attachment 1.

Planning for [Major Transit Station Areas](#)

The City is required to update its Official Plan through the MCR to include the 180+ MTSA's identified across the City. The Growth Plan requires that MTSA's are delineated to "maximize the size of the area and number of potential transit users that are within walking distance of the station". The Official Plan must prioritize planning the MTSA's in a manner that implements the Growth Plan (including directing growth, protecting natural heritage and supporting TOD).

The Growth Plan conformity exercise requires municipalities to demonstrate that a plan is in place for the following MTSA minimum density targets: 200 residents and jobs per hectare for subways; 160 residents and jobs per hectare for light rail transit; and 150 residents and jobs for GO Transit rail. Staff will implement outcomes of recently completed planning studies when delineating MTSA's to avoid duplicating work that has already been completed (or nearing completion) and adopted by Council. In the absence of local area studies, complete with community consultation and detailed contextual analysis, staff's delineation of MTSA's are intended to reflect the minimum requirements set out by the Growth Plan, unless other targets are determined appropriate.

[Protected Major Transit Station Areas](#) and [Inclusionary Zoning](#)

Protected Major Transit Station Areas (PMTSA's) will become a subset of the 180+ potential MTSA's. Both MTSA's and PMTSA's require a municipality to delineate the area boundaries, identify a planned density target, and demonstrate implementation through planning policies/define authorized land uses. Additionally, PMTSA's require the identification of minimum densities for the buildings and structures contained within the delineated area. The identification of a PMTSA is a prerequisite for the City to implement Inclusionary Zoning bylaws under the *Planning Act* Section 16(15).

Providing housing that is affordable to a wide range of residents and located to meet the needs of people throughout their life cycle, is essential to the goal of an inclusive City. Inclusionary zoning is a planning tool that will enable the City to secure new affordable housing as part of the development review process. The identification and delineation of

PMTSAs in areas of strong or moderate market conditions, has been identified as a priority component of the City's Growth Plan conformity exercise, given the City's ability to apply an equity lens to its land use planning framework.

Under Policy 2.2.4.5 of the Growth Plan, the City can delineate PMTSAs **before** the MCR is completed provided the delineation is in accordance with Section 16(15) of the *Planning Act*. The Minister's Decision on PMTSAs cannot be appealed to the Ontario Land Tribunal. No amendments to a PMTSA are permitted without the approval of the Minister, inclusive of minor variances.

Downtown Plan (TOCore)

City Council adopted the Downtown Secondary Plan Official Plan Amendment No. 406 ("Downtown Plan") in May 2018. The Downtown Plan was approved with modifications by the Minister of Municipal Affairs and Housing in June 2019.

The Downtown Plan is a comprehensive and integrated policy framework to shape growth in Toronto's Downtown over the next 25 years. The Downtown Plan is a response to rapid growth, with projections showing a potential doubling of the Downtown population and a near-doubling of employment by 2041.

As an identified [Urban Growth Centre](#) in the Growth Plan, the Downtown is planned to achieve a minimum density target of 400 residents and jobs per hectare. The Downtown Plan identifies the land use designations targeted for growth, with varying scales and degrees of intensity. These designations include *Mixed Use Areas 1*, *Mixed Use Areas 2*, *Mixed Use Areas 3*, *Regeneration Areas* and *Institutional Areas*. The areas for growth are described in policy language within the Downtown Plan and align with the land use designations of the Official Plan.

The SASPs for the Downtown PMTSAs are consistent with and propose no changes to the planning framework established by the approved Downtown Plan.

COMMENTS

On April 22, 2021, the Planning and Housing Committee authorized the Chief Planner to consult on sixteen draft PMTSA delineations within the Downtown Plan and a series of draft policy directions to guide the implementation of MTSAs and PMTSAs citywide. This report provides:

- a summary of consultations and feedback on the sixteen draft PMTSA delineations for the Downtown, and related implementation policy directions;
- an outline of the changes to the proposed PMTSA delineations for the Downtown based on feedback received; and
- a description of interpretation policies and concepts for implementation of PMTSAs and MTSAs citywide.

Public and Stakeholder Consultations

Following Planning and Housing Committee's consideration of the draft Downtown PMTSAs and draft implementation policy directions in April 2021, staff undertook a series of targeted consultation meetings. These meetings included downtown resident associations, housing stakeholders and industry representatives to receive feedback on the proposed policy directions. These consultations included the Downtown North Development Round Table, which includes 13 different residents' associations. Staff also received a number of direct inquiries from planning practitioners.

Stakeholder feedback included comments and questions with respect to:

- how the draft delineations and minimum densities impact the existing Downtown Plan policies;
- what the distinction is between residents and jobs density targets and minimum development density requirements;
- how land use designations and minimum development density relate;
- how the minimum density requirements are implemented in Neighbourhoods and in particular, if they would apply to proposals for extensions or additions to existing buildings; and
- how the delineations and minimum densities would relate to existing Official Plan policies and site-specific applications.

The draft Downtown PMTSAs were circulated to the Ministry of Municipal Affairs and Housing on March 10, 2021 to meet the minimum 90-day review period as required under section 17(15) of the *Planning Act*. On September 1, 2021 Ministry staff issued a letter confirming that the draft OPA for the sixteen Downtown PMTSAs was reviewed and shared with the Ministry of Transportation, the Ministry of Economic Development, Job Creation and Trade, and the Ontario Growth Secretariat as part of the Provincial One-Window Review Process. The Ministry did not identify any significant concerns with the draft OPA or the City's approach.

Overall the purpose and intent of the proposed Downtown PMTSAs and policy directions was understood by residents and industry stakeholders. Only minor revisions to the draft SASPs and policy directions were made as a result of feedback received. These changes are discussed in detail below.

As required by the *Planning Act*, an open house will be held on January 5th, 2022 to provide the public an additional opportunity to ask questions about the proposed PMTSAs and implementation framework.

Revisions to the Draft Downtown PMTSAs and Policy Directions

Delineations

Staff heard no significant concerns with the draft PMTSA delineations and minimum densities. Minor adjustments were made along Spadina Avenue between College Street and Bloor Street West to ensure both sides of major avenues along the edges of delineated areas are consistently included across the Downtown geography. This change is reflected in Map 1 of SASPs 597 and 611.

Minimum Development Densities

The draft SASPs for the sixteen Downtown PMTSAs included minimum development densities expressed in floor space indices (FSI) to meet the requirements of Section 16(15) of the *Planning Act*. Additional staff review has resulted in minor changes to these minimums. The methodology used to determine the "minimum development densities" is described in the following section of this report.

Stakeholder consultations identified that the minimum development densities (expressed in FSI) in *Neighbourhoods* could unintentionally permit or encourage large single unit homes and not provide for additional residents and jobs as intended by Provincial policy. To address this, an alternative minimum of three units has been added to 'Map 2' for each the 16 SASPs. The intent of this change is to provide flexibility in applying minimum development densities and encourage a greater mix of unit types within *Neighbourhoods*.

In addition, the scale of the minimum development densities being considered has been adjusted slightly and now ranges from a minimum of 0.5 to 3.0 times the area of the lot. This adjustment addresses instances where the previously proposed minimum development densities matched existing Zoning By-law maximum densities. The adjustment will ensure that new development has a reasonable range of permissible density within which it can comply with policies and bylaws, rather than a precise number. For the Downtown, two different FSIs have been applied in *Neighbourhoods* with a minimum of 0.9 FSI applying within the Downtown Plan and 0.5 FSI in areas outside the Downtown Plan to reflect existing planning permissions. Similarly, the minimum development density in *Apartment Neighbourhoods* has been increased from 1.0 to 1.5 FSI to better differentiate between the underlying land use permissions in *Neighbourhoods* and *Apartment Neighbourhoods*.

Policy Interpretation

The majority of stakeholder discussions related to how the proposed SASPs would be implemented in the context of other Official Plan policies. Many of the questions raised apply to any new MTSA and PMTSA citywide.

The draft policy directions presented to Planning and Housing Committee on April 22, 2021 have been refined based on this feedback. The recommended OPA 524 includes new implementation policies and non-policy text to guide:

- interpretation of the minimum density targets (residents and jobs) and minimum development densities (FSI and/or minimum units);
- implementation of minimum development densities on a site-specific basis; and
- alignment with all other applicable policies of the Official Plan.

Together these policies and directions provide a framework for the implementation of MTSA and PMTSA across the City.

Recommended OPA 524 - Downtown Protected Major Transit Station Areas

Recommended OPA 524 is intended to satisfy requirements in both the *Planning Act* and Growth Plan. The proposed PMTSAs are included as individual Site and Area Specific Policies (SASPs) to be contained within a new Chapter 8 of the Official Plan. The identification and delineation of PMTSAs in the Official Plan supports City and Provincial affordable housing policy by enabling the City to implement inclusionary zoning in the delineated areas, upon receiving Ministerial approval on the PMTSAs.

Delineation

The boundaries of each recommended PMTSA were individually delineated based on a walkshed analysis. This analysis took into account the walkability to stations using existing streets and pedestrian access, any limitations or constraints that could impede walkability (e.g. steep ravine, impassable infrastructure, impact of a back facing lot), and any unique or special characteristics of the local context (e.g. access to the PATH to and from Union Station). The analysis also included identifying accessible connections and barriers for those with mobility impairments. The short distances between stations within the Downtown geography creates overlap for each delineation. In areas where this occurs, the minimum density is not affected. The delineated areas for each Downtown PMTSA are shown as 'Map 1' in the SASPs included as part of OPA 524 (Attachment 2).

Planned Density (Residents and Jobs per Hectare)

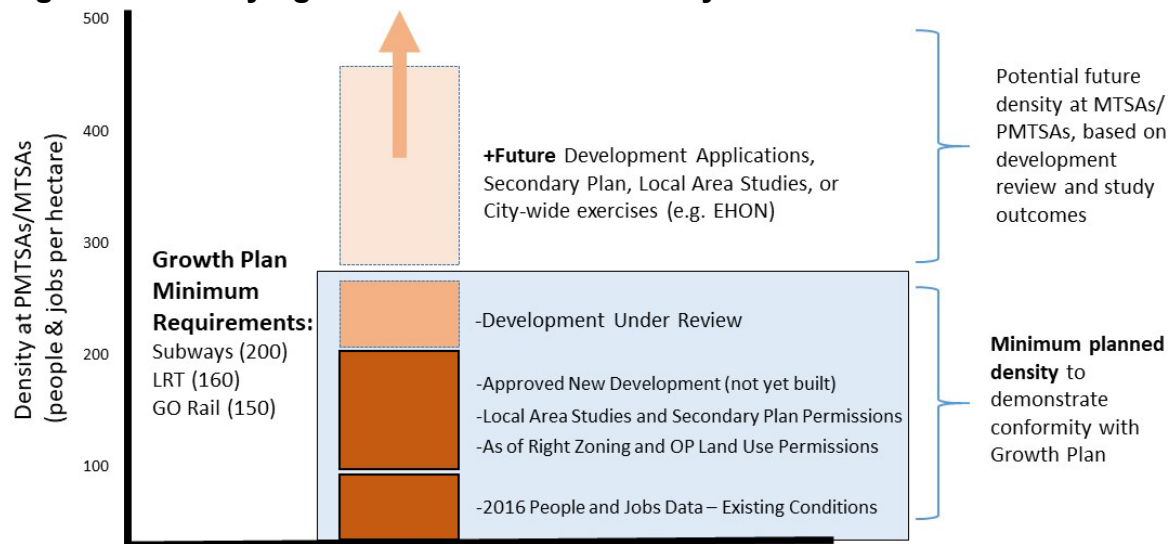
The recommended OPA 524 establishes minimum population and employment targets for each of the sixteen delineated PMTSAs. These targets all exceed the minimum residents and jobs per hectare targets set out in Growth Plan Policy 2.2.4.3 for subway stations (200 residents and jobs per hectare). The PMTSAs have been planned to achieve and exceed the identified minimum density for residents and jobs through the land use designations and development permissions of the Minister-approved Downtown Plan.

Planned density targets within the potential MTSA/PMTSAs were identified by calculating the maximum potential density of each parcel. This density calculation was informed by the following Council-approved development framework:

- in effect Official Plan land use designations within the identified areas;
- as-of-right zoning by-law permissions;
- density permissions included in the Downtown Secondary Plan;
- other applicable plans; and
- approved developments that have not yet been built.

Figure 1 illustrates the components of "Minimum Planned Density" as required by the Growth Plan for municipalities to demonstrate that the City has a plan in place to achieve conformity with the minimum density targets. In addition to the minimum planned density, Figure 1 also illustrates the net effect that future development applications, local area or citywide planning studies may have on the existing permissions within a MTSA/PMTSA.

Figure 1: Identifying Minimum Planned Density at MTSA & PMTSAs



The following PMTSA population and employment minimum density targets are recommended:

- Spadina Station (SASP 597): 300 residents and jobs per hectare
- St. George Station (SASP 598): 400 residents and jobs per hectare
- Bay Station (SASP 599): 900 residents and jobs per hectare
- Bloor-Yonge Station (SASP 600): 900 residents and jobs per hectare
- Sherbourne Station (SASP 601): 500 residents and jobs per hectare
- Wellesley Station (SASP 602): 1,000 residents and jobs per hectare
- College Station (SASP 603): 1,200 residents and jobs per hectare
- Dundas Station (SASP 604): 1,900 residents and jobs per hectare
- Queen Station (SASP 605): 2,000 residents and jobs per hectare
- King Station (SASP 606): 2,000 residents and jobs per hectare
- Union Station (SASP 607): 1,700 residents and jobs per hectare
- St. Andrew Station (SASP 608): 1,700 residents and jobs per hectare
- Osgoode Station (SASP 609): 1,700 residents and jobs per hectare
- St. Patrick Station (SASP 610): 1,500 residents and jobs per hectare
- Queen's Park Station (SASP 611): 900 residents and jobs per hectare
- Museum Station (SASP 612): 700 residents and jobs per hectare

Authorized Uses of Land

The recommended SASPs for the sixteen PMTSAs acknowledge and recognize that the authorized uses of land are set out through the land use designations in Map 18 of the Official Plan and in accordance with the approved Downtown Plan. No changes are being proposed to these designations and the permitted uses of the Plan.

Minimum Development Densities

The recommended SASPs include a "minimum development density", in accordance with Section 16(15) of the *Planning Act*. City Planning has identified the minimum

density using floor space indices, or a minimum number of units per site, for all developable lands, excluding streets. Generally, the minimum densities are defined at a block level and applied on a site-specific basis. The minimum densities, expressed in FSI, is shown on 'Map 2' of the 16 SASPs included in OPA 524 (Attachment 2).

The minimum development densities align with the development permissions for *Mixed Use Areas 1, Mixed Use Areas 2, Mixed Use Areas 3, Mixed Use Areas 4, Regeneration Areas* and *Institutional Areas* of the Minister approved Downtown Plan. The minimum development densities do not propose any changes to maximum development permissions, and all applicable Official Plan policies, including Secondary Plans and Site and Area Specific Policies would continue to apply on individual sites.

Recommended OPA 524 - Chapter 8 and Interpretation Policies for MTSA and PMTSAs

Recommended OPA 524 (Attachment 2) introduces three new policies and a set of non-policy terms and concepts to the Interpretation Policies of Chapter 5 of the Official Plan. Recommended OPA 524 (Attachment 2) also introduces new Chapter 8 and associated non-policy text to organize the various protected major transit station area and major transit station area delineations that will occur across the City.

These new interpretation policies and non-policy text are intended to guide implementation of all MTSA and PMTSA across the City. These policies form part of the delineations for any individual PMTSA and if required, additional policies may be included in each delineation, where determined appropriate. Given that there is a 180+ potential MTSA city-wide, this will avoid unnecessary repetition of the same policies that apply equally to the understanding of all delineations across the City and are integral to their appropriate interpretation and implementation.

Applying Planned Density (Residents and Jobs per Hectare)

The population and employment targets for each MTSA and PMTSA apply across the entire delineated area based on the established planning framework. Recommended policy 5.6.16 in Attachment 2 recognizes that some areas within each MTSA will intensify more than others as development occurs over time and individual developments will not achieve these targets on their own. The planned density is to be interpreted as a cumulative measure for the entirety of a station area.

Applying Minimum Development Density (in PMTSAs)

The Official Plan is to be read as a whole and PMTSAs are not to be implemented in isolation or to the exclusion of other relevant policies of the Plan. Minimum development densities in PMTSAs are to be applied together with all appropriate policies of the Official Plan, applicable Secondary Plans or Site and Area Specific Policies within a delineated area. This is captured in recommended policy 5.6.17 in Attachment 2. This policy ensures matters of heritage, built form and public realm, servicing, natural areas, parks and other open spaces, and others are considered alongside minimum development densities.

The recommended OPA also includes direction on how the prescribed minimum development densities in each Site and Area Specific Policy are to be applied. Policy 5.6.18 specifies that proposed additions, conversions, extensions and renovations to existing buildings, or new ancillary buildings or structures, would not need to meet the minimum development density (Attachment 2). Given that any amendments to the minimum densities would require Ministerial approval, the intent of this recommended policy is to allow for minor exceptions that would not trigger the application of the minimum densities. For example, a proposed minor addition to a single unit dwelling would be not trigger the requirement to meet the minimum development density.

Where the minimum development density in a PMTSA allows for a minimum number of units as an alternative to the minimum Floor Space Index specified, the proposed OPA includes non-policy text that provides guidance on the range of units that may be considered in achieving this minimum.

Terms and Concepts

The recommended OPA includes non-policy text that outlines key terms and concepts to further assist in applying the Site and Area Specific Policies for MTSA and PMTSAs across the City. This text describes the terms:

- "planned density targets" = minimum residents and jobs per hectare and
- "minimum development densities for PMTSAs" = floor space index.

The text also provides guidance in interpreting the Site and Area Specific Policies where "minimum units" may be considered and where there is "station area overlap".

The recommended policies and direction (OPA 524) provide a framework within the Official Plan to achieve Growth Plan conformity for the introduction of Major Transit Station Areas and Protected Major Transit Station Areas across the City.

POLICY CONSIDERATIONS

This section summarizes the policy considerations addressed in developing the recommended OPA that establish sixteen PMTSAs in the Downtown, citywide Chapter 8 and associated Interpretation Policies in the Official Plan. The recommended OPA has regard for relevant matters of provincial interest, are consistent with the 2020 Provincial Policy Statement (PPS), conform to or do not conflict with the Growth Plan 2020, and are consistent with the general intent of the Official Plan.

Planning Act

The *Planning Act* governs land use planning in Ontario and establishes how a municipality must implement land use planning decisions. Section 2 of the *Planning Act* requires that municipalities, when carrying out their responsibility under the Act, have regard to matters of provincial interest. There are 20 matters of provincial interest that address a wide range of matters from protecting resources, ensuring orderly

development, ensuring the health and safety of people, and the adequate provision of a full range of housing, including affordable housing.

As noted in the Comments section of this report, OPA 524 also meets the requirements in Section 16(15) of the *Planning Act* for delineating and creating PMTSAs.

Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Section 3 of the *Planning Act* requires that all land use planning decisions are to be consistent with the PPS

The key objectives of the PPS include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS includes policies on key issues that affect communities, such as: the efficient use and management of land and infrastructure; providing for an appropriate range and mix of housing options; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to accommodate current and future needs. The PPS recognizes and acknowledges the Official Plan as the most important vehicle for implementing the policies within the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

On August 28, 2020, the Province enacted Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan"). The Growth Plan provides a three-pronged framework for managing growth in the Greater Golden Horseshoe and accommodating forecasted growth in well-designed complete communities that meets people's needs for daily living. It includes:

- directions for where and how to grow, including requirements to delineate boundaries for major transit station areas and implementing minimum density targets through secondary planning or other initiatives;
- the provision of infrastructure to support growth with transit recognized as a first priority for investment; and
- protecting what is valuable, such as the natural environment and cultural heritage resources.

Similar to the PPS, the Growth Plan is to be read as whole and relevant policies applied to each situation. The policies of the Plan represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plan.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

Official Plan

The Official Plan contains policies and objectives that guide future growth and development in the city. It is a long-term vision for how the city should grow. It contains a number of city-building priorities such as directing growth to areas well served by transit and creating viable and complete communities. The recommended OPA have been developed within the context of the Official Plan. The recommended OPA builds upon and complements the Official Plan.

Zoning

Growth Plan Policy 2.2.4 requires prioritized planning for MTSA on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. Section 26(9) of the *Planning Act* requires that within three years of an Official Plan Amendment, Council amend all zoning by-laws that are in effect within a municipality to conform with the Official Plan.

As part of a future work program, staff will undertake a zoning review that is expected to incorporate minimum densities into the zoning by-law for MTSA, and to increase the maximum densities where necessary to implement these policies. As recommended in this report, capital and staffing resources will need to be provided for in subsequent capital budgets to complete this work.

CONCLUSION

The recommended Official Plan Amendment support the implementation of transit-supportive development in the Downtown Plan area. The sixteen proposed PMTSAs presented in this report are a subset of the 180+ potential MTSA city-wide. This OPA will advance the equity-based objective of the City's Growth Plan Conformity work program by establishing the necessary policies to implement inclusionary zoning in the Downtown core.

The recommended interpretation policies and non-policy directions would facilitate the implementation of the sixteen Downtown PMTSAs and create a policy framework for all future MTSA and PMTSAs across the City.

The recommended Official Plan Amendment has been reviewed against the *Planning Act* and policies of the PPS (2020), the Growth Plan (2020), the Official Plan and the Downtown Plan, as applicable. The OPA has regard for relevant matters of provincial interest, are consistent with the PPS (2020), conform to and do not conflict with the Growth Plan, and are consistent with the intent of the City's Official Plan.

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SIGNATURE

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Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Frequently Used Terms
Attachment 2: OPA 524 - Downtown PMTSAs, Interpretation Policies for MTSAAs and PMTSAs, and Chapter 8

Attachment 1: Frequently Used Terms

Provided below are frequently used terms and their general definition as it relates to the City of Toronto.

Inclusionary Zoning (IZ)

Inclusionary zoning is an affordable housing tool that links the production of affordable housing to the production of market-rate housing. The ability to implement inclusionary zoning is limited to Protected Major Transit Station Areas (PMTSAs) or areas where the Minister has ordered a Development Permit System.

Major Transit Station Area (MTSA)

The City has approximately 180+ potential MTSA's, which are defined as areas within an approximate 500-800 metre radius of an existing or planned transit station and representing a 10-minute walk. The Growth Plan (2019) prescribes the following minimum density targets for MTSA's: 200 residents and jobs per hectare for subways; 160 residents and jobs per hectare for light rail transit; and 150 residents and jobs for GO Transit rail.

Municipal Comprehensive Review (MCR)

The Places to Grow Act and the Planning Act require that municipalities undertake a Municipal Comprehensive Review (MCR) and Growth Plan conformity exercise and bring official plans into conformity with the Growth Plan on or by July 1, 2022. The MCR can take the form of a new official plan or an official plan amendment that the City must initiate. The MCR is required under section 26 of the Planning Act, which specifies that the Minister of Municipal Affairs and Housing is the approval authority. The Minister's approval is not appealable to the Ontario Land Tribunal.

Protected Major Transit Station Area (PMTSA)

Protected Major Transit Station areas (PMTSA's) will be a subset of all 180+ potential MTSA's that the City may delineate. PMTSA's are different because Council can adopt the delineations and densities in advance of the completion of the next Municipal Comprehensive Review. PMTSA's must put into place a detailed planning framework that identifies permitted uses and minimum densities with respect to buildings and structures within the delineated area. This level of specificity is akin to provisions contained within an area zoning by-law, which is not required for MTSA's. The Planning Act allows municipalities to apply Inclusionary Zoning to PMTSA's.

Transit Oriented Development (TOD)

Transit Oriented Development (TOD) integrates compact, walkable, pedestrian-oriented areas with a diverse mix of uses and incomes, all organized within walking distance of a rapid transit station, and at densities which support transit ridership so that people can walk to transit services quickly and conveniently from the places they live, work, shop and play.

Urban Growth Centre (UGC)

Urban Growth Centres (UGC) are shown in Schedule 4 in the Growth Plan (2019). UGCs must have plans in place to achieve 400 residents and jobs combined per hectare by 2031 or earlier. Toronto contains five UGCs, each of which is delineated through a Secondary Plan.