

October 4, 2024

Provincial Land Use Plans Branch
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growthplanning@ontario.ca

RE: Consideration of transition of land use planning matters to facilitate the introduction of a new policy statement issued under the *Planning Act* ([ERO 019-9065](#))

On behalf of the City of Toronto, we are pleased to submit the City's feedback requesting planning matters that should be addressed through the transition regulation, which would facilitate implementation of the Provincial Planning Statement (PPS) 2024. We are requesting transition of five groups of Official Plan Amendments (OPAs), as outlined in this letter and identified in Attachment 1. The transition of these OPAs is necessary to ensure certainty and expediency in achieving outcomes for these ongoing processes.

We are also requesting a follow-up meeting between Ministry of Municipal Affairs and Housing staff and City Planning staff to discuss the site and area specific complexities and policy-specific nuances of each requested groupings of planning instruments requested to be transitioned. We would also like to reserve this time to request any additional matters to be transitioned that have not been identified by this request.

The OPAs requested to be transitioned are all intended to support implementation of the PPS 2024 in terms of:

- making more land available for development;
- supporting development to increase the supply of housing;
- supporting the achievement of complete communities by accommodating a range and mix of land uses including employment; and
- supporting transit-supportive development and intensification in proximity to transit.

The OPAs:

- were reviewed and considered under previous provincial planning frameworks such as the Provincial Policy Statement 2020 and Growth Plan for the Greater Golden Horseshoe 2020 (Growth Plan 2020);
- have been adopted by City Council; and
- are pending a Decision or Final Order from the Minister of Municipal Affairs and Housing or the Ontario Land Tribunal (OLT).

Without transition for these matters which are pending final approval, there is the risk of uncertainty and delays if additional review is required under the PPS, 2024, which would present challenges to both the City and proponents.

Planning Matters Requested to be Transitioned:

#1: Official Plan Amendments (OPAs) implementing Employment Area conversion requests as part of the recent Municipal Comprehensive Review (MCR) awaiting a Minister's Decision

The OPAs that implement Employment Area removals/conversions as part of the MCR provide residential land use permissions and balance this new opportunity with requirements that support the development of complete communities including affordable housing and space for employment or non-residential uses.

Conversion requests and the removal of employment areas provide an opportunity for the provision of affordable housing. Through the MCR, Council has adopted these conversion/removals to introduce residential permissions where none previously existed, in addition to future communities that are inclusive and include affordable housing.

In accordance with the Growth Plan 2020 employment policies, the non-residential gross floor area requirement is intended to ensure the replacement and/or growth of space for employment purposes as part of each recommended conversion/removal of employment areas. Securing minimum amounts of non-residential space, including employment space, helps to ensure that the previously designated Employment Areas can continue to provide an economic function, while accommodating additional housing across the city.

Advancing the PPS, 2024 intent: The OPAs, if approved, would implement the PPS 2024 by supporting development to increase the supply of housing, supporting the achievement of complete communities by accommodating a range and mix of land uses including employment, and providing a mix of housing options including affordable housing.

City Council's adoption of these matters beginning in June of 2023, was informed by previous provincial planning frameworks. Given that these planning matters are still pending a Minister's Decision, it is requested that they be transitioned for continuity of the provincial policies to enable the timely delivery of future housing projects without the risk of potential delays associated with having to re-review the amendments under the new policy framework that will come into effect on October 20, 2024.

#2: Official Plan Amendments implementing Protected Major Transit Station Areas (PMTSAs) and Major Transit Station Areas (MTSAs) that were adopted by City Council awaiting a Minister's Decision

The OPAs that implement PMTSAs and MTSAs provide an opportunity for the City to establish minimum density targets for residents and jobs, and additionally in PMTSAs

provide for the implementation of the Council-approved inclusionary zoning policy framework. It is intended that updates to zoning by-laws will follow the Minister's Decision to ensure consistency with the identified minimum densities.

Advancing the PPS, 2024 intent: These OPAs, if approved, would implement the PPS 2024 by establishing minimum density targets, delineating the boundaries of MTSA's and PMTSA's, encouraging transit-oriented development and intensification in these areas and implementing zoning to provide a mix of housing options including affordable housing.

City Council's decisions on these matters occurred between December 2020 and March 2022, and were informed by previous provincial planning frameworks. Given that these planning matters are still pending a Minister's Decision, it is requested that they should be transitioned for continuity of the provincial policies to enable the timely delivery of future housing projects without the risk of potential delays associated with having to re-review the amendments under the new policy framework. It is also noted that some of the OPAs implementing the MTSA/PMTSA's would be inconsistent with the PPS, 2024, as not all were brought forward under section 26 of the Planning Act as required under the new policy framework. This policy conflict could result in some of these OPAs being required to be redone or re-reviewed.

#3: Official Plan Amendments implementing Secondary Plans that were adopted by City Council, and awaiting a Minister's Decision or under appeal at the Ontario Land Tribunal (OLT)

The OPAs that implement Secondary Plans allow for the City to guide the creation of new complete communities focused on a balance of uses and jobs, transit, infrastructure, and community facilities and services for existing and future residents and workers. Examples of OPAs in this grouping of requests include the Downsview Secondary Plan, Jane-Finch Secondary Plan and Keele-St. Clair Secondary Plan.

Advancing the PPS, 2024 intent: These OPAs, if approved, would implement the PPS 2024 by supporting development to increase the supply of housing, supporting the achievement of complete communities by accommodating a range and mix of land uses including employment, providing a mix of housing options, and encouraging transit supportive development and intensification. Individual secondary plans may support additional objectives of the plan.

City Council's adoption of these matters began in 2015 and was informed by previous provincial planning frameworks. Given that these planning matters are still under appeal or pending a Minister's Decision, they should be transitioned for continuity of the provincial policies to enable the timely delivery of future housing projects without the risk of potential delays associated with having to re-review the amendments under the new policy framework. This includes avoiding additional time burdens on the OLT if needing to request adjournments of on-going matters and/or hearings to address the PPS, 2024. It is also noted that at least one OPA implementing a Secondary Plan may be inconsistent with the

PPS, 2024 - the Dufferin Street Secondary Plan policies regarding separation distance to Employment Areas were adopted under and are consistent with OPA 231. See related comments regarding OPA 231.

#4: Remaining Appeals to OPA 231 awaiting Hearing Dates at the Ontario Land Tribunal

City Council adopted OPA 231 in December 2013, and the Minister of Municipal Affairs and Housing subsequently approved it with limited modifications in July 2014. Over 175 appeals were filed against the Minister's decision and approximately 60 site-specific appeals currently remain. The majority of these appeals seek a redesignation of lands from Employment Areas to a land use designation that would permit residential uses. The OLT has experienced scheduling pressures to set hearing dates for the remaining OPA 231 appeals.

Advancing the PPS, 2024 intent: Over 100 appeals to OPA 231 have either been resolved through settlement or withdrawn (with only three contested site specific hearings held). The remaining site specific appeals reflect some of the most challenging sites that are faced with the introduction of residential uses near to existing operating major facilities, such as impactful manufacturing and other industries. The outstanding OPA 231 appeals should continue to be transitioned under the 2006 Growth Plan and PPS 2020, for continuity of the provincial policies to limit delays or deferrals from having to re-consider the matters under the new policy framework. Without transition, on-going hearings will likely need to be adjourned to address the PPS 2024, which will result in additional pressure on the Tribunal's scheduling and delays in the adjudication of the remaining 60 site-specific appeals.

#5: Central Waterfront Secondary Plan transitioned under the Provincial Policy Statement 1997

City Council adopted the Central Waterfront Secondary Plan (CWSP) in 2003 as an amendment to the Official Plan for the Former City of Toronto and was the subject of numerous appeals to the Ontario Municipal Board (OMB), now the OLT. Outstanding appeals of the CWSP are currently transitioned under the Provincial Policy Statement 1997 with no Growth Plan applying. O.Reg 385/04 grandfathered the CWSP under the Planning Act as it read prior to November 2004.

Advancing the PPS, 2024 intent: The remaining appeals to the CWSP should continue to be transitioned under the PPS, 1997 for continuity of the provincial policies to limit delays or deferrals from having to re-consider the matters under the new policy framework. These delays will not result in any public benefit or improved outcome.

To discuss the site and area specific complexities or policy nuances, additional matters to be transitioned (if necessary), and to respond to any questions that Ministry staff may have, we are requesting a meeting between Ministry and City staff. Please contact [Jeffrey Cantos](#), Acting Director, Strategic Initiatives, Policy & Analysis (416-397-0244) or [Romas Juknevicius](#), Acting Manager, Official Plan and Legislation (416-392-6214) directly to arrange this meeting.

Regards,

A handwritten signature in black ink, appearing to be "K. Knoeck", with a long horizontal stroke extending to the right.

Kyle Knoeck, M.Sc.Pl., MCIP, RPP
Interim Chief Planner and Executive Director
City Planning Division

Attachments:

1. List of Planning Matters Requested to be Transitioned
2. List of outstanding appeals to Official Plan Amendment 231

Attachment 1: List of Planning Matters Requested to be Transitioned

#1: Official Plan Amendments (OPAs) implementing Employment Area conversion requests as part of the recent Municipal Comprehensive Review (MCR) awaiting a Minister's Decision approval	
<i>OPA Number</i>	<i>Description</i>
644	Five employment area conversion requests that propose introduction of uses not currently permitted, including residential uses, on lands designated either Core Employment Areas or General Employment Areas in the Official Plan.
653	36 employment area conversion requests that propose the introduction of uses not currently permitted, including residential uses, on lands designated either Core Employment Areas or General Employment Areas in the Official Plan. Includes amendments to Employment Areas that have Chapter 7 Site and Area Specific Policies that include residential permissions to conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), Policy 2.2.5.7 and Official Plan Amendment 591, which prohibit residential uses within lands designated as Employment Areas.
692	One conversion request for 2450 Finch Avenue West that proposes to redesignate the lands designated General Employment Areas in the Official Plan to Regeneration Areas, and the introduction of uses not currently permitted, including residential uses.
742	Modifications to conversion requests for 670 and 680 Caledonia Road and 2155 St. Clair Avenue West

#2: Official Plan Amendments implementing Protected Major Transit Station Areas (PMTSAs) and Major Transit Station Areas (MTSAs) that were adopted by City Council, awaiting a Minister's Decision	
<i>OPA Number</i>	<i>Description</i>
482	2 Protected Major Transit Station Areas: Finch West Transit Station Area and Sentinel Transit Station Area
524	16 Protected Major Transit Station Areas: Downtown Toronto
540	Major Transit Station Areas and Protected Major Transit Station Areas: Bloor-Danforth Corridor

544	10 Major Transit Station Areas, including 6 Protected Major Transit Station Areas and associated maps across the City of Toronto (Lower Targets)
570	57 Protected Major Transit Station Areas: City-wide
575	25 Major Transit Station Areas: City-wide

#3: Official Plan Amendments implementing Secondary Plans that were adopted by City Council, and awaiting a Minister's Decision or under appeal at the Ontario Land Tribunal (OLT)

<i>OPA Number</i>	<i>Description</i>
294	Dufferin Street Secondary Plan
537	Keele-St. Clair Secondary Plan
571	Mount Dennis Secondary Plan
633	Jane Finch Secondary Plan
716	Downsview Secondary Plan
483	Keele Finch Secondary Plan

#4: Remaining Appeals to OPA 231 awaiting Hearing Dates at the Ontario Land Tribunal

<i>OPA Number</i>	<i>Description</i>
231 – remaining site specific appeals	City-wide amendments to Economic Health policies and the policies, designations, and mapping for Employment Areas.

#5: Central Waterfront Secondary Plan transitioned under the Provincial Policy Statement 1997

<i>OPA Number</i>	<i>Description</i>
435	Central Waterfront Secondary Plan

Attachment 2: List of Outstanding Appeals to Official Plan Amendment 231

Appeal No.	Type of Appeal	Municipal Addresses
2	Site Specific	100 Metropolitan Road
4	Citywide & Policy	401-415 King St. W.
7	Site Specific & Policy	215 Lake Shore Boulevard and 178-180 Queen's Quay East
14	Site Specific & Policy	15 Toronto St.
17	Site Specific & Policy	164 Eglinton Ave. E.
18	Site Specific	1695 Eglinton Ave E, 15&23 Mobile
26	Site Specific	4646 Dufferin Rd
28	Site Specific	865 York Mills Rd
36	Site Specific	3266 - 3270 Midland Ave E
38	Site Specific	39 Wynford Dr
43	Site Specific & Policy	57 Spadina Ave.
46	Site Specific & Policy	90 Eglinton Ave. W.
52	Site Specific	955-969 Weston Rd
56	Site Specific	1200 Eglinton Ave E
62	Policy	Citywide
65	Citywide & Policy	Citywide
76	Citywide	Citywide
83	Site Specific & Policy	1940 Eglinton Ave. E.
97	Site Specific & Policy	48 Power St, 125 Parliament St.
101	Policy	789-793 Don Mills Road
108	Site Specific & Policy	22 College Street
108	Site Specific & Policy	477 Queen Street West
108	Site Specific & Policy	485 Queen Street West
108	Site Specific & Policy	484-488 Yonge Street, 490 Yonge Street, 492/494 Yonge Street, 3 Grosvenor Street
108	Site Specific & Policy	496 Yonge Street, 2 Grosvenor Street
108	Site Specific & Policy	506 Yonge Street
108	Site Specific & Policy	508 Yonge Street
108	Site Specific & Policy	510-512 and 522-528 Yonge Street, 7 Breadalbane
108	Site Specific & Policy	543 Yonge Street
108	Site Specific & Policy	646-648 Yonge Street, 2-4 Irwin Avenue
108	Site Specific & Policy	650-652 Yonge Street
108	Site Specific & Policy	664 Yonge Street
108	Site Specific & Policy	668 Yonge Street
110	Policy	296, 300 King Street East
110	Policy	56/58 Berkeley Street
110	Policy	16/18 Camden Street
110	Policy	39 Camden Street
110	Policy	45 Camden Street

Appeal No.	Type of Appeal	Municipal Addresses
110	Policy	778 King Street West
110	Policy	778, 780, 782, 786 King Street West
110	Policy	788 King Street West
110	Policy	455 Richmond Street East
110	Policy	284 King Street East (not in address_aggregated)
110	Policy	53-65 Ontario Street/ 102 Berkeley St.
117	Site Specific & Policy	10 St. Mary Street
119	Site Specific	825 Don Mills Rd, 11 Redway Rd, 330 Queen's Plate Dr, 2549 Weston Rd, 51 Gerry Fitzgerald Dr, 681 Silverstar Blvd, 17 Leslie St, 3685 Keele St, 1020 Islington Ave, 5661 Steeles Ave
121	Site Specific	393 Sorauren Ave., 1947 Dundas St. W.
124	Citywide & Policy	Citywide
131	Site Specific	22 Metropolitan Rd
132	Policy	1 Eglinton Ave. E.
135	Site Specific & Policy	Eglinton / Bermondsey / Mobile / Credit Union Block (including 1681 Eglinton Ave E, 24, 30 Mobile)
136	Site Specific	243, 245, 251, 255 Consumers
138	Site Specific & Policy	7, 15, 25R, 29 and 39 Queens Quay East
139	Site Specific & Policy	7, 15, 25R, 29 and 39 Queens Quay East
140	Site Specific & Policy	7, 15, 25R, 29 and 39 Queens Quay East
141	Site Specific & Policy	215 Lake Shore Boulevard and 178-180 Queen's Quay East
142	Site Specific	3500-3520 McNicoll Ave & 83-85 Dynamic Dr
144	Citywide	95 Queens Quay East
146	Site Specific	200 Yorkland Boulevard
146	Site Specific	50, 60, 77 and 131 Bloor Street West
146	Site Specific	279 and 285 Yorkland Boulevard
149	Site Specific	30 Weston Rd
154	Site Specific	1645 Warden Avenue, 150 Railside Road, 2 Overlea Blvd, 2152 Kipling Ave, 3711 Keele St, 1921 Eglinton Ave E, 1225 Kennedy Rd
155	Site Specific	75 and 95 Barber Greene Road
155	Site Specific	475-505 Ellesmere Road, 2 & 12 Principal Road
155	Site Specific	1860 Midland Road and 445 Midwest Avenue
159	Site Specific	21 Beverly Hills Drive
160	Policy	5799-5915 Yonge Street, 45 and 53 Cummer Avenue, and 46-47 Averill Crescent
162	Site Specific	430-440 Dufferin St., 41 Alma Ave.
164	Site Specific & Policy	348 Bloor Street West, 4 & 6A Spadina Road
178	Site Specific	900 York Mills

Appeal No.	Type of Appeal	Municipal Addresses
179	Site Specific	Keele and Finch (RE; 4646 Dufferin St. & 2 Champagne, 1107 Finch Ave. W.)
181	Site Specific	299 Campbell Ave.
182	Site Specific	Citywide
184	Site Specific	21 Don Valley Parkway
186	Site Specific	2 Brisbane Rd.
187	Site Specific	721 Eastern Avenue
190	Site Specific	1315 Finch Avenue W.
191	Site Specific	80 Bloor Street W.
192	Site Specific	23 Bertrand Avenue
192	Site Specific	23 Bertrand Avenue
197	Site Specific	270 Evans Ave.
198	Site Specific	1542, 1548, 1550 The Queensway, 65-69 North Queen St, 15 Atomic Ave
199	Site Specific	254-266 King St. E., 427/435 Adelaide St., 157 Princess St.
199	Site Specific	483 Bay St.
199	Site Specific	2 Carlton St.
199	Site Specific	135 St Clair Ave W.
199	Site Specific	82 Bloor St. W.
200	Site Specific	200 University Avenue
201	Site Specific	2161 Yonge Street
204	Site Specific	1 Atlantic Avenue