



STAFF REPORT ACTION REQUIRED

Five Year Official Plan and Municipal Comprehensive Reviews: Status Update

Date:	December 15, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2015\ClusterB\PLN\PGMC\PG15009

SUMMARY

This report provides a status update on the progress of the statutory Official Plan and Municipal Comprehensive Reviews.

The Official Plan was adopted by Council in 2002 and brought into force by the Ontario Municipal Board in June 2006. The Planning Act was amended in 2007 to require a review of a municipal Official Plan within five years of the Plan coming into effect. Planning and Growth Management Committee directed the commencement of the review of the Official Plan in May 2011 with a series of citywide public consultations. In February 2012, following the initial public consultations, Council recognized the breadth and extent of the work to be undertaken and directed that the Reviews be conducted according to thematic policy areas, starting with those that were required to be considered under the Planning Act.

Official Plan Amendments have been enacted for the areas that were required to be reviewed, namely Heritage and the Employment Areas. Both amendments are before the Ontario Municipal Board. The review of the remaining policy areas has been adopted or is in the process of being undertaken and the proposed Official Plan Amendments will be brought to Planning and Growth Management Committee for statutory public meetings in 2015 and 2016.

RECOMMENDATION

The City Planning Division recommends that:

1. The Planning and Growth Management Committee receive this report for information.

Financial Impact

There are no immediate financial impacts associated with this information report.

DECISION HISTORY AND COMMENTS

In May 30, 2011, Planning and Growth Management Committee directed the initiation of the review of the Toronto Official Plan required under Section 26 of the Planning Act. After reviewing the results of the broad public consultation in February 2012, Council directed that the review proceed by thematic areas, commencing with policy areas which were required to be addressed under Section 26 of the Planning Act.

Heritage Official Plan Policies

Upon Council's adoption of the current Official Plan in 2002, municipalities had limited powers to conserve heritage properties. Powers were largely limited to delaying the demolition of heritage buildings. In 2005 the Province adopted a new Ontario Heritage Act that significantly altered, and strengthened a municipality's powers, responsibilities and tools to conserve heritage resources. In 2005 the Province strengthened the heritage policies of the Provincial Policy Statement and in 2006 introduced heritage conservation policies in the Provincial Growth Plan.

The Planning Act requires that the Official Plan conforms to the Provincial policy framework. This necessitated a full review of the heritage policies of the Toronto Official Plan.

Following two years of public consultations, including broadly based advisory committees and well-attended public meetings, in April 2013 Council enacted Official Plan Amendment 199 (OPA 199). This amendment established new stronger heritage conservation policies that reflect the enhanced powers afforded municipalities under the Provincial legislative framework. The Minister of Municipal Affairs and Housing issued a decision approving OPA 199 in November 2013 which was appealed to the Ontario Municipal Board by 49 parties. It is worth noting that the heritage policies were awarded the 2013 Award of Excellence by the Canadian Association of Heritage Professionals.

A hearing of the appeals is scheduled to commence on March 23, 2015. In October 2014, in advance of this hearing, City staff participated in mediations sessions at the Ontario Municipal Board with the various appellants. Negotiations on the remaining issues are continuing and a full report on the proposed settlements for Committee and Council's recommendations will be submitted to the February 2015 meeting of the Planning and Growth Management Committee for Committee's and Council's consideration prior to the scheduled March 2015 OMB hearing.

Economic and Employment Area Policies

Under Section 26 of the Planning Act, the Official Plan Review must consider the designation of areas of employment and policies dealing with the removal of land from areas of employment. Under the Provincial Growth Plan this municipal comprehensive review is the only opportunity for a private landowner to convert employment lands for non-employment use.

In 2012 and 2013 extensive research and public consultation was carried out on Toronto's economy and our employment lands. As part of this review the City received almost 150 requests/applications to convert employment lands for non-employment, primarily residential uses. In December 2013, Council enacted Official Plan Amendment 231 which:

- introduced policies to promote and retain office space in the Downtown, the Centres and within 500 metres of rapid transit stations;
- created two new designations for Employment Areas and retained 97 per cent of existing Employment Areas in these designations;
- established new retail policies to accommodate the retail demands of a growing City and Regional population;
- approved approximately one-third of the requests/applications to convert employment lands for non-employment, largely residential, uses, which comprised approximately 15 per cent of the lands subject to such conversion requests/applications; and
- identified six new Regeneration Areas where employment could be maintained and residential uses introduced subject to a secondary plan or site specific policy to set out a development framework for new development.

In July 2014, the Minister of Municipal Affairs and Housing approved Official Plan Amendment 231, except for certain areas within the Don Valley floodplain. The Minister's decision was appealed by 178 appellants to the Ontario Municipal Board. Official Plan Amendment 231 has been appealed in its entirety and a prehearing has been scheduled for March 12 and 13, 2015. Approximately 100 of the appeals have been filed to convert employment lands for non-employment, largely residential, purposes. There are also 33 appeals of the policies promoting and retaining Office space in the Downtown, the Centres and within walking distance to rapid transit stations.

Transportation Policies

In 2013 the City Planning Division launched the "Feeling Congested" initiative to engage the public in a discussion of the City's transportation needs and identify necessary amendments to the Official Plan, as part of the Official Plan Review. In August 2014, Council adopted Official Plan Amendment 274. OPA 274 amends the Plan's transportation policies to introduce new or modified Plan policies dealing with:

- integration of transportation planning with land use Planning;
- "Complete streets";
- active transportation;
- automobile Transport demand management and parking; and
- goods movement.

Official Plan Amendment 274 was submitted to the Province for approval in September 2014 and is awaiting a Provincial decision.

In 2015, a further report will be submitted to Planning and Growth Management Committee dealing with the remaining transportation policy areas, namely:

- development of a Comprehensive Rapid and Surface Transit Plan;
- introduction of a Cycling Policy Framework;
- updates to Maps and Schedules for streets and lanes; and
- revisions to Map 2, Urban Structure to reflect identified changes to the City's urban structure as a result of transportation network changes.

Environment Policies

The Environment Policies are a cornerstone of the current Official Plan and have provided effective direction for the City's many environmental initiatives in the past decade. In order to meet new challenges and to further implement Council's direction regarding Environmentally Significant Areas, refinements and additions have been drafted. In August 2014, Council approved the draft environmental policies for the purpose of public consultation. These draft policies are intended to assist the City in meeting the challenges presented by climate change as well as updating and augmenting policies for energy conservation and efficiency, biodiversity, natural heritage, hazard lands, provincially significant areas, lake filling and green infrastructure. The draft policies also add sixty eight newly researched and identified 'environmentally significant areas' across the City to the Official Plan.

In November and December 2014 public consultations on these policies took place that included forums with residents associations, five public open houses across the city, and stakeholder meetings including a special event devoted to Climate Resiliency and a Roundtable of Environmental groups and organizations. A Report on 'What We Heard' in the consultations and revised proposed policies are scheduled to be submitted to Planning and Growth Management Committee in the second quarter of 2015.

Healthy Neighbourhoods, *Neighbourhoods*, *Apartment Neighbourhoods*

At its meeting of August 2014 Council approved draft policies for Healthy Neighbourhoods, *Neighbourhoods*, and *Apartment Neighbourhoods* for the purpose of public consultation. The draft policies were largely formulated on the basis of public feedback received in the initial round of public consultations in 2011 and Council's direction to implement the City's Tower Renewal Initiative.

The primary focus of the drafts amendments to policies to the *Apartment Neighbourhoods* designation is to implement the City's Tower Renewal Initiative through new or amended Plan policies to encourage:

- the retrofit of existing apartment buildings to improve: energy efficiency, water conservation, waste diversion practices, building operations, and indoor and outdoor amenity space for residents;
- the establishment of small-scale retail, service and office uses to serve the needs of residents on the ground floor of apartment buildings;
- partnerships between building owners, residents and local agencies to better program and utilize existing indoor and outdoor amenity spaces;
- mobile food vendors and food cultivation on underutilized open space in areas without convenient pedestrian access to fresh food; and
- the retrofit of existing apartment buildings as a City priority where infill development is proposed on a site with an existing apartment building(s).

Another important draft policy expands the criteria to be considered for infill development on a site with an existing apartment building(s).

The existing policies for the City's low-rise residential *Neighbourhoods* emphasize the retention of their physical character. The draft revisions to these policies clarify interpretation issues that have arisen on the existing policies and add criteria to be considered as part of neighbourhood character, such as the design and elevation of driveways and garages.

In November and December 2014 a public consultation program was undertaken that included stakeholder meetings, four special forums for residents associations and five public open houses. A report on the outcomes of the consultations is being prepared along with revised proposed Official Plan policies. This report is anticipated to be submitted to Planning and Growth Management Committee in the second quarter of 2015.

Proposed Directions for Official Plan Urban Design Policies

The review of Urban Design policies is at an early stage. Draft policies have not been prepared to date. Instead, in August 2014 Council directed staff to engage the public in a discussion of more general urban design policy directions. Some of the policy directions to be considered included:

- clarifying the role of urban design guidelines;
- recognizing that large and deep lots need additional planning;
- refining the policies for Avenues;
- promoting a walkable City;
- prioritizing the public realm;
- adding development criteria for low-rise and mid-rise buildings;
- encouraging bold and thoughtfully designed tall buildings;
- promoting Privately Owned Publically Accessible Open Spaces; and
- maintaining sunlight on signature parks.

An extensive public consultation program was been undertaken in October, November and December 2014 which has included numerous stakeholder meetings, a public forum that attracted over 350 persons, four public open houses and a series of 'pop-up' events in libraries, malls, colleges and public buildings across Toronto where staff engaged and received written feedback from over 1000 Torontonians on urban design issues. A report on the public consultations is being prepared summarizing the outcomes of these events along with draft Urban Design policies. This report is targeted to be considered by Committee in the second or third quarter of 2015.

Housing Policies

The review of the City's Official Plan housing policies has been progressing in discrete pieces. In 2013, Council enacted Official Plan Amendment 214 which provided that affordable ownership housing and rented registered condominium units are eligible Section 37 community benefits. This amendment approved by the Province in January 2014 is in effect. It enables non-governmental organizations to receive and manage rental units in condominium buildings as affordable housing that would be a Section 37 benefit, and recognizes affordable ownership housing such as that provided by Habitat for Humanity or Options for Homes as being an eligible Section 37 benefit.

Additional proposed policy changes will be brought forward in 2015 and 2016. Priority will be directed to policy changes to help stimulate and create new affordable housing across the City. Revisions are proposed to be brought forward for the definition of 'affordable ownership housing' and changes to the 'large sites' policy which requires affordable housing in new communities. These later items will be brought forward for Committee's direction in 2016. Additional work is also under review to address requirements for larger sized units and associated amenities to accommodate families and larger households in new developments.

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