

October 10th, 2012

Merle MacDonald, Administrator
Planning and Growth Management Committee
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**RE: OPA 199 to the City of Toronto Official Plan
Infrastructure Ontario's Comments on the Official Plan Amendment**

This letter is provided by Infrastructure Ontario (IO) following a review of Official Plan Amendment 199 to the City of Toronto Official Plan, as it relates to the provincial land portfolio under IO's management. IO is an agent for the Ministry of Infrastructure and is responsible for the strategic management of the Province's real estate portfolio.

Infrastructure Ontario is pleased to see the City of Toronto emphasizing the importance of heritage assets in its city-building goals and pro-actively addressing heritage-related issues through an update to its planning policies. As a Crown Corporation of the Province, we fully support the City of Toronto implementing the current Provincial legislative framework for heritage conservation and updating its Official Plan heritage policies to reflect Provincial changes. The inclusion of new public realm policies that aim to protect views to landmark buildings, important natural heritage areas and the downtown skyline are also supported, although additional clarification on terminology and clearer identification of specific view areas protected would be beneficial.

Properties owned by MOI and managed by IO cannot be designated under the Ontario Heritage Act, so IO uses its Heritage Management Process to identify heritage properties of local and provincial significance. Staff at Toronto Preservation Services are consulted during heritage evaluations to identify local heritage interest in the property being evaluated. In addition, Staff is also contacted during the Class Environmental Assessment Process.

Infrastructure Ontario is a Prescribed Public Body under Part III.1 of the Ontario Heritage Act and as a result must comply with the Ministry of Tourism, Culture and Sport, Standards & Guidelines for Conservation of Provincial Heritage Properties (April 2010). The Standards & Guidelines set out requirements for the protection, maintenance, use and disposal of heritage properties.

As a result of Infrastructure Ontario’s review of OPA 199, several policy areas have been identified that require further clarification. These are presented below. Infrastructure Ontario is currently undertaking a detailed review of our portfolio to better understand how existing heritage assets on our properties – and on adjacent properties – may be impacted by the OPA. Clarification from the City on the issues outlined below will assist us with this undertaking.

General Comments

Section 3.1.1

- With the emphasis on view protection, the terms “view” and “significant view” should be defined in the Official Plan. Defining terms may also help clarify how these views differ and how proposed planning controls vary between the two.
- Maps 7a and 7b do not provide adequate information to understand what specific view areas are being protected. Additional details relating to the specific area being protected would be beneficial. Potentially, protected views may be better illustrated through the use of annotated photographs specifying the protected view area as it relates to the individual landmark buildings and structures, important natural heritage features and skyline views (3.1.1.10).
- Further clarification on the expected content of the Heritage Impact Assessment for new buildings or building alteration with regard to potential view obstruction or detracting would be beneficial (3.1.1.11).

Section 3.1.5

- The impact of the new requirement to undertake a Heritage Impact Assessment if altering or redeveloping a property *adjacent* to one on the Heritage Registry (3.1.5.4) is unclear. Please clarify the required content for the Heritage Impact Assessment in this situation and whether it will be the same as for those properties with buildings of heritage value on-site.
- The allowance for additional gross floor area for parcels containing designated heritage assets is appropriate (3.1.5.19). However, limiting the additional floor area allowance to the total GFA of the heritage building or structure being retained may not provide an adequate incentive – especially for sites located in a more urban context containing smaller scale heritage structures. We suggest removing this restriction and negotiating additional gross floor area permissions on a case-by-case basis.
- Please clarify the planning and design controls proposed for those properties adjacent to ones on the Heritage Registry. What methods is the City proposing to preserve the integrity of heritage properties on adjacent sites (3.1.5.25)?
- There is not an adequate amount of information provided in the Cultural Heritage Landscapes section to provide comment (3.1.5.43/44). Additional information is required.

- Please identify when Cultural Heritage Landscapes will be identified and how they will be evaluated.
- As identified above, Maps 7a and 7b do not provide adequate information to clearly understand what specific view areas are being protected. Additional details relating to the specific area being protected is required (3.1.5.45).
- The definitions for “view” and “significant view” should be added to the “Definitions” section of 3.1.5.

Concluding Comments

We would request that this letter be included as part of the record of submission on the Official Plan and Municipal Comprehensive Reviews with regard to OPA 199. We look forward to receiving a formal response on the above-noted issues.

We thank you for considering our comments and recommendations on this important initiative and we look forward to working with you to resolve the above noted concerns. Please contact the undersigned to discuss this matter further.

We thank you for your consideration of the above.

Sincerely,



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c.c. Peter Reed, Manager Land Use Planning, Infrastructure Ontario
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