

Priorities in Transit Expansion and Transit-Oriented Communities Projects

Date: June 4, 2024

To: Executive Committee

From: Deputy City Manager, Infrastructure Services

Deputy City Manager, Development and Growth Services

Wards: All

SUMMARY

An unprecedented level of transit expansion, housing development and other major infrastructure projects is currently underway in Toronto. Delivery of higher-order transit lines, as well as development, brings numerous benefits, to increase housing supply, reduce congestion, support the City's environmental goals, and promote a well-connected and accessible city. The advancement of the Province's transit expansion projects along with its Transit Oriented Communities (TOC) Program, present significant opportunities to advance City priorities and maximize benefits to communities. At the same time, these large-scale and long-term construction projects present challenges that must be carefully managed to mitigate negative impacts on residents and businesses.

The purpose of this report is to:

1. Identify the City priorities that guide and inform negotiations with the Provincial government and its agencies, as well as the relevant policies and levers for implementation;
2. Provide a guide to external partners that outlines the City expectations with the Province, Metrolinx and the public more broadly; and,
3. Assist City staff in reviewing permit, licences and agreements under negotiation to determine if City priorities are being sufficiently addressed, while strengthening internal coordination to maximize City benefits.

The report identifies City priorities in the following areas, as detailed further in Attachment 2:

- Delivering mobility;
- Transit and housing as city building;

- Public realm improvements;
- Roadways, traffic and construction management;
- Parkland, forestry, and recreational facilities;
- Real estate;
- Protecting City infrastructure and assets;
- Community benefits;
- Business and cultural supports; and
- Community engagement.

City Divisions continue to review the Province’s technical designs, plans and requests for permits licences and approvals, in coordination with the local Councillor, as necessary, to identify all opportunities to advance the City’s priorities and to ensure a wholistic and coordinated City-wide approach that maximizes the benefits for the City. To further strengthen coordination processes as well as the engagement with the local Councillor, staff will:

- Ensure all City staff participating in transit expansion and TOC work understand the City priorities identified in Attachment 2, which will help guide and inform all negotiations with the Province and its agencies.
- Establish a monthly Transit and TOC Leaders Roundtable consisting of senior City staff across City Divisions. The purpose of this Roundtable is to review and provide strategic direction on critical, complex or non-routine permits, licenses and other agreements prior to issuance, where permitted under applicable law.
- Enhance their engagement with the local Councillor as part of ongoing work to assess opportunities to deliver on City priorities and identify potential improvements for advancement that reflect local ward priorities.

RECOMMENDATIONS

The Deputy City Manager, Infrastructure Services and the Deputy City Manager, Development and Growth Services recommend that:

1. City Council direct the City’s Deputy City Managers to strengthen internal coordination amongst City Divisions in order to maximize achievement of the priorities outlined in Attachment 2 to this report in interactions with the Provincial government and its agencies in the delivery of all current and future transit expansion and transit-oriented community projects.
2. City Council forward this report to the Toronto Transit Commission, Waterfront Toronto, the Ontario Ministry of Transportation, Ontario Ministry of Infrastructure, Metrolinx, and Infrastructure Ontario.

FINANCIAL IMPACT

There are no financial impacts associated with this report. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

A full decision history is provided in Attachment 1 to this report.

COMMENTS

Background

Transit Expansion and City Planning Divisions' Role in Transit Expansion and TOCs

The Transit Expansion (TE) Division acts as the one-window for City involvement in Provincial transit expansion projects, by coordinating reviews of technical designs and plans with staff across relevant City Divisions (unless this function is performed by a specific City Division in accordance with applicable law, e.g., building permits issued by Toronto Building) to confirm alignment with, and negotiate solutions to deliver on City priorities.

City Planning (CP) Division leads and coordinates the City's involvement on the Province's TOC Program. This begins with City staff proactively identifying the City's vision, objectives, and requirements for each TOC site, followed by coordinated reviews of formal TOC proposals submitted to the City, and public engagement in coordination with Infrastructure Ontario. CP staff engaged in TOC reviews are integrated with staff responsible for transit review to ensure full visibility between the two programs and coordination across projects, Divisions and Agencies.

Overview of City Priorities in Transit Expansion and TOC Projects

Background and Legislative Context

City staff aim to maximize City priorities in transit expansion and TOCs within the constraints of existing agreements, by-laws, legislation, and Council direction. The potential use of Provincial authorities may impose restrictions on the City's ability to maximize benefits as City staff are guided by existing by-laws and legislation in reviewing applications for various permits. These by-laws and legislation stipulate that if the conditions and requirements associated with the permit are met by the applicant, the City is required to issue the permit. Furthermore, where the Province or their agencies choose to exercise their Crown authority in lieu of seeking municipal permits, City staff are unable to impose conditions or control project outcomes.

Additionally, pursuant to certain provisions in the Building Transit Faster Act (BTFA), Metrolinx can, on notice, require for the construction of a priority transit project: use, occupation, modification, temporary closure of a municipal highway or "municipal right of way"; and use of, access to or modification of sewage works, water works or fire hydrants under municipal ownership or control, and "municipal services" related to this infrastructure. City staff continue to review City permit by-laws and assess, on a case-

by-case basis, if changes are required to provide more flexibility to staff regarding permits for transit expansion projects, and seek City Council approval, accordingly.

For the TOC Program, the Transit-Oriented Communities Act provides authority for the Province to implement the TOC Program and the Province may also choose to issue a Minister's Zoning Order, under the Planning Act, to establish TOC zoning permissions. City staff continue to engage with the Province and its agencies to leverage collaboration opportunities and maintain influence over TOC outcomes.

This report identifies City priorities that guide City Divisions and Agencies in negotiations with the Province and their agencies on transit expansion and TOC projects. These City priorities are listed below and detailed in Attachment 2. Staff have and will continue to pursue these priorities to maximize the benefits from Provincial transit and TOC projects, recognizing that instances to achieve these priorities are limited under existing legislative frameworks.

1. **Delivering Mobility:** *Deliver safe, affordable, accessible, and sustainable transportation choices for people and goods, and protect the City's interests for the transit network that increases mobility and accessibility for all.*
2. **Transit and Housing as City Building:** *Increase housing supply, especially affordable housing, and deliver complete communities served by higher-order transit that offer opportunities to achieve City priorities in equity, affordability, mobility, sustainability, reconciliation, and prosperity. Protect and mitigate impacts from transit construction on existing communities and ensure fair treatment for tenants displaced by transit and TOC construction.*
3. **Public Realm Improvements:** *Maximize high-quality urban integration, user experience, resiliency and sustainability in transit design and infrastructure, especially in communities that need it most.*
4. **Roadways, Traffic and Construction Management:** *Mitigate impacts of road, lane, and sidewalk closures on communities by coordinating the delivery of City infrastructure works with Metrolinx transit construction.*
5. **Parkland, Forestry and Recreational Facilities:** *Protect and enhance Toronto's system of parks, recreation facilities, green spaces, and the urban forest to ensure enduring sustainability, resiliency, and continued public enjoyment through transit expansion and the development of TOCs.*
6. **Real Estate:** *Secure value and public benefit for Toronto residents and communities in all real estate transactions.*
7. **Protecting City Infrastructure and Assets:** *Protect City infrastructure and assets during transit construction and restore infrastructure to City Standards.*
8. **Community Benefits:** *Maximize the impact of investments being spent on transit expansion projects by incorporating opportunities to benefit equity-deserving groups.*

9. Business and Cultural Supports: *Ensure Toronto businesses, cultural events and Business Improvement Areas (BIAs) can thrive during the long-term construction of transit projects and make Toronto economically strong.*

10. Community Engagement: *Facilitate meaningful two-way community engagement and involvement between impacted residents, businesses, and Provincial agencies.*

Next Steps for Implementation

City staff work to facilitate the delivery of transit expansion in a timely manner to realize the benefits of increased transportation choices and housing supply. At the same time, staff aim to seize opportunities to deliver on a variety of City priorities as described in this report and Attachment 2, such as affordable housing and parks, while reducing congestion, disruption to residents and businesses, and protecting the City's assets.

To further strengthen coordination processes, City staff will take the following next steps:

- Ensure all City staff participating in transit expansion and TOC work understand the City Priorities identified in Attachment 2, which will help guide and inform all negotiations with the Province and its agencies.
- City Divisions will enhance their engagement with the local Councillor as part of ongoing work to assess opportunities to deliver on City priorities and identify potential improvements for advancement that reflect local ward priorities.
- Establish a monthly Transit and TOC Leaders Roundtable (Roundtable) consisting of senior City staff across City Divisions. The purpose of this Roundtable is to review and provide strategic direction on critical, complex or non-routine permits, licenses and other agreements prior to issuance, where permitted under applicable law. The Roundtable would utilize the following governance approach:
 - i. Request that divisional leads, proactively identify critical, complex or non-routine permits, licenses and agreements (PLAs) for discussion by the Roundtable, including any PLAs flagged from the local Councillor. Any routine permits or approvals, including those requiring issuance under applicable law, would not be considered by the Roundtable.
 - ii. City staff will present the Roundtable with an assessment of options informed by feedback from the local Councillor, for the identified PLAs with a view to maximize City benefits, consider any trade-offs or conflicts among City priorities.
 - iii. Based on feedback and consensus from the Roundtable, City staff will develop a strategy for negotiating with the Province and its agencies to secure identified City priorities.
 - iv. City staff will evaluate and report back on outcomes on the achievement of City priorities as part of provincial negotiations, to the Roundtable.

Subject to City Council direction, Transit Expansion and City Planning staff will work together with City Divisions and Agencies to continually improve internal review and approval processes in our transit expansion and TOC work, to ensure a holistic and coordinated approach to advance the City's collective priorities, while recognizing our shared objectives in moving transit and housing projects forward.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Relevant Decision History

Attachment 2: Recommended Approaches to Advance City Priorities Through Transit Expansion and Transit-Oriented Communities Projects