

Transit-Oriented Communities Status Update

Date: April 24, 2024

To: Planning and Housing Committee

From: Interim Chief Planner and Executive Director, City Planning

Wards: Citywide

REASON FOR CONFIDENTIAL INFORMATION

The attachment to this report contains information explicitly supplied in confidence to the City of Toronto by Infrastructure Ontario.

SUMMARY

This report provides an update on matters related to the Provincial Transit Oriented Communities (TOC) program and proposals that have progressed over the past year.

Firstly, it provides a status update on the TOC program and process including the Provincial Value Allocation Framework that covers community benefits for individual TOC proposals. The report also seeks Council approval to enter into an agreement with Infrastructure Ontario (IO) to cover costs of City staff time required to process TOC submissions within the provincially expected timelines. The terms of the proposed agreement generally mirror cost recovery agreements signed with Metrolinx related to the work of City staff on Provincial transit projects.

Secondly, the report provides an update on all TOCs to date on two of the four provincial priority transit projects: the Ontario Line and Scarborough Subway Extension. This section includes updates on site-specific Memorandums of Understanding (MoUs) for TOC sites currently in market, final comments on the Gerrard Carlaw North TOC, and a summary of planning comments, outstanding issues, opportunities to secure City priorities and updates on community engagement on a second round of TOCs submitted to the City for review in late 2023. The report concludes with next steps on the process to resolve the concerns identified by City staff and the community.

RECOMMENDATIONS

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

1. City Council authorize the City Manager or their designate to execute a TOC Program resource agreement between the City and Infrastructure Ontario to have Infrastructure Ontario fund temporary staff positions in support of the Transit Oriented Communities Program for the period from September 20, 2023 to March 31, 2026 and renewable in

subsequent years through agreements with Infrastructure Ontario, subject to the terms outlined in Attachment 1 to this report.

2. Subject to the execution of the terms of the resourcing agreement with Infrastructure Ontario, City Council approve 12 new temporary operating positions be added to the 2024 Operating Budgets of commenting divisions as follows:

- 4 to City Planning,
- 2 to Engineering and Construction Services,
- 2 to Parks, Forestry and Recreation,
- 2 to Transportation Services, and
- 2 to Toronto Water.

3. Subject to the execution of the terms of the resourcing agreement with Infrastructure Ontario, City Council approve a total increase of \$2.895 million gross and zero net, fully funded by Infrastructure Ontario, to the 2024 Operating Budget for new temporary operating positions of the commenting divisions as follows:

- \$0.770 million gross and \$0 net to City Planning;
- \$0.545 million gross and \$0 net to Engineering and Construction Services;
- \$0.465 million gross and \$0 net to Parks, Forestry and Recreation;
- \$0.570 million gross and \$0 net to Transportation Services; and
- \$0.545 million gross and \$0 net to Toronto Water,

all wholly funded by Infrastructure Ontario at a net-zero cost to the City.

4. City Council authorize the City Manager or their designate to conclude negotiations and enter a Memorandum of Understanding with the Province at Gerrard Carlaw North subject to terms as outlined in Confidential Attachment 2.

5. In the event the Minister issues an MZO, City Council authorize the Interim Chief Planner and Executive Director, City Planning or their designate to enter into Development Agreements pursuant to Section 47 of the Planning Act, in lieu of Site Plan Agreements as contemplated under Section 41 of the Act and Section 114 of the City of Toronto Act, 2006, to give effect to conditions of site plan approval for Transit Oriented Communities.

FINANCIAL IMPACT

Although Infrastructure Ontario (IO) delivers the TOC Program, the City's involvement in the Program is substantial and includes the review of early TOC design concepts, support for public engagement, review of formal TOC development submissions, review of draft Minister's Zoning Orders and input into IO Market Offering documents. Because TOCs do not follow typical City planning approval processes, IO does not pay application fees. As such, funding for temporary staff positions is required to support the implementation of the Program and to ensure the City's interests are addressed.

The total cost of these temporary full-time resources covers a period from September 20, 2023, to March 31, 2026, and will be fully recovered from Infrastructure Ontario to a maximum of \$4.906M in 2023 (retroactive), \$5.102M in 2024, \$5.152M in 2025 and

\$1.759M in 2026. The resource requirements to support the TOC program will be reviewed annually with Infrastructure Ontario.

Upon Council authorization, Infrastructure Ontario and City staff will finalize an agreement to fund these resources. This agreement will include funding for 12 new and 13 existing permanent and temporary Full Time Equivalent (FTE) positions. The existing temporary FTE positions support the Provincial transit program and have divided their time with the TOC program to date. The costs of the work of these temporary positions on transit projects will continue to be recovered from Metrolinx while their time spent on TOC projects will be recovered from Infrastructure Ontario. The TOC related costs of the existing permanent positions will also be recoverable from Infrastructure Ontario. Table 1 provides a summary of the cost of the new positions needed for this program. Funding for the existing positions will be included in future years budget submissions. The temporary positions will expire on March 31, 2026, and will be renewable in subsequent years through agreements with Infrastructure Ontario.

Table 1: TOC Program City Staff Resourcing Requirements (net new)

City Division	Number of Positions		Estimated Cost for New Positions (\$Ms)				
	Existing	New	2023	2024	2025	2026	Total
City Planning	8	4	0.000	0.770	1.002	0.281	2.052
Engineering & Construction Services (ECS)	-	2	0.132	0.545	0.550	0.139	1.367
Parks, Forestry and Recreation	-	2	0.113	0.465	0.470	0.119	1.167
Transportation Services	1	2	0.138	0.570	0.576	0.145	1.429
Legal Services	3	-	0.000	0.000	0.000	0.000	0.000
Toronto Water	1	2	0.132	0.545	0.551	0.139	1.367
Estimated Program Cost*	13	12	0.514	2.895	3.149	0.823	7.382

* Subject to the execution of the terms of the resourcing agreement, costs will be net-zero to the City fully funded by Infrastructure Ontario.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On October 29, 2019, City Council considered EX9.1 - Toronto-Ontario Transit Update, which authorized the City Manager to negotiate, enter into and execute an agreement (the 'Preliminary Agreement') with the Province and/or other relevant provincial agencies, in accordance with the terms set out in the term sheet attached as Attachment 6 to that report, and further authorized the City Manager to negotiate any

other agreements as may be necessary. Council further directed the City Manager to work with the Province to identify opportunities to accelerate the delivery of expansion projects and to provide updates on the measures taken.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX9.1>

In January 2020, City Council adopted, as amended, EX12.3 Toronto-Ontario Transit Partnership - Status Update, which included the Ontario-Toronto Memorandum of Understanding on Transit-Oriented Development ("MOU on TOD", now known as the "MOU on TOC"). The MOU on TOC established a series of shared objectives for TOC and identified the roles and responsibilities of the City and Province for TOC specific to the Province's Subway Program.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX12.3>

In May 2021, City Council adopted EX23.3 Provincial Transit-Oriented Communities Program, which included requests of the Province to commit to early discussions with the City on potential transit-oriented community developments in order to shape commercial agreements in ways that are supportive of the City's planning vision. City Council further directed that the First Parliament Master Plan be completed as quickly as possible and maintain the site based on principles such as continued public ownership and in-situ protection. Further direction was provided on how to proceed with the First Parliament site proposal which should include a commitment for a regional library branch and creation of a robust stakeholder process and working group with the Province.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX23.3>

On October 14th, 2021 Toronto and East York Community Council passed motion TE28.62 Request for City Planning Comments on Ontario Line Transit Oriented Community Proposals, which requested Staff to report on preliminary planning comments, outstanding issues, opportunities to secure City priorities, and a summary of feedback received by Infrastructure Ontario (IO) through its public engagement process for Transit Oriented Communities (TOC) proposals related to the following Ontario Line stations: Corktown Station, Exhibition Station, King and Bathurst Station and Queen and Spadina Station.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE28.62>

On December 15th, 2021, Council adopted with amendments TE29.17 Transit Oriented Communities Update (Preliminary Report). Council directed Staff to work on the employment conversion request for the Municipal Comprehensive Review, and to implement the recommended public engagement approach, subject to any Provincial requirements for confidentiality. Further direction was provided to require that all new housing in TOCs in Toronto align with Inclusionary Zoning targets, with a goal of reaching thirty percent of all units affordable.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE29.17>

On April 6th and 7th, 2022 Council adopted with amendments EX31.2 Ontario Line Transit Oriented Communities report, which directed Staff to finalize negotiations and execute an agreement on a Value Allocation Framework for the Province's TOC program and to enter into a series of Memorandums of Understanding with the Province at each Ontario Line station to document City and Provincial commitments. Further

direction was provided to engage with the Province to review Minister's Zoning Orders that would authorize TOC developments to ensure accuracy, correct interpretation of zoning parameters, and to advance City interests related to site plan review. City Council further directed to conclude negotiations on affordable housing at each TOC site and enter into agreements as required, and to make recommendations on the planning requirements necessary to include, expand or improve the quantity of affordable housing on TOC lands.

Link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.EX31.2>

On April 27, 2023 Planning and Housing Committee adopted PH3.23 Affordable Housing in Transit Oriented Communities, which directed Staff to report back to the Committee with details on the percentage of affordable housing currently proposed at each Transit Oriented Community (TOC), and the number of affordable units that would be created if each proposal had 20 percent affordable units or the Housing Now standard of 30 percent affordable units.

Link: [Agenda Item History - 2023.PH3.23 \(toronto.ca\)](#)

On May 10, 2023, City Council adopted TE4.37 Status Report on the Gerrard-Carlaw North Transit Oriented Community. Staff were directed to request that the Provincial government require its development partner to deliver a minimum of 20 percent affordable housing for a minimum of 50 years and that the Province and developer make a public commitment to do so. Further, a petition was presented to Council with over 900 signatures which also requested 20 percent affordable housing at Gerrard-Carlaw North TOC.

Link: <https://secure.toronto.ca/council/agenda-item.do?item=2023.TE4.37>

On July 5, 2023, Planning and Housing Committee received PH5.4 Affordable Housing in Transit Oriented Communities – Update for information. This report responded to a request for information on how affordable housing is being secured at Transit Oriented Communities. Link: <https://secure.toronto.ca/council/agenda-item.do?item=2023.PH5.4>

COMMENTS

GENERAL PROGRAM UPDATE

Since the launch of the Provincial TOC program in late 2019, the City has been working with the Province to review and provide input to TOC proposals on the four Provincial Priority Transit Priority Projects including the Ontario Line, the Scarborough Subway Extension, the Eglinton Crosstown West Extension and the Yonge North Subway Extension.

To date the City has received and reviewed TOC proposals at nine Ontario Line stations and one station along the Scarborough Subway Extension. Additional TOC proposals are anticipated over the next 2-3 years. Details of these future proposals are not yet known.

Transit Oriented Communities Program and Process Update

IO is tasked with delivering the TOC program on behalf of the Ministry of Infrastructure. IO works with Metrolinx to understand the property requirements for subway projects,

and where feasible, develops TOC proposals that would integrate development above and/or adjacent to transit facilities. Only lands directly impacted by Metrolinx are eligible to be considered for a TOC development. IO does not have a mandate to acquire additional lands as part of the TOC program.

The City and Province have established a TOC Review process that builds on the principles articulated in the TOC MOU to assist in defining zoning parameters. A draft of the process was presented to Council in May 2021 (EX23.3 Provincial Transit Oriented Communities Program, linked above). Since that time the review process has undergone refinements based on the experience of the first series of TOCs.

Refinements include earlier engagement between IO and the City on new TOCs, enhancements to the timing, scope and City role in public consultation, as well as City staff reporting to Council on TOC submissions in a similar way to how reporting is done for private development applications.

To date, zoning for TOC proposals has been authorized directly by the Province through enhanced Minister's Zoning Orders (eMZOs) without direct involvement by City Council. Enhanced MZOs alter the site plan approval process that the future TOC development partner will undertake, requiring the use of Development Agreements between the development partner and the City. The Minister also retains authority to intervene in the City's approval process at their discretion. As the Chief Planner does not have authority to sign Development Agreements under Section 47 of the Planning Act as compared to a typical site plan agreement, this report seeks authority for the Chief Planner to conclude Development Agreements for TOC projects.

Value Allocation Framework (VAF)

The Province has committed to making a financial contribution to each TOC development to support the shared objective of delivering complete communities. Provincial priorities considered for these contributions are:

- Housing outcomes (e.g. Affordable housing)
- Family and community services (e.g. Recreation centres, childcare facilities)
- Institutional space (e.g. Libraries)

Under the terms of the VAF, the Province will contribute up to the lesser of 8% of the TOC value or 8% of the value of the land as assessed at building permit stage. The Provincial value contribution will be in addition to the City's Community Benefits Charge payable by the TOC development partner.

The determination of the purposes for which the Provincial value allocations will be used is at the discretion of the Province. However, the Province consults with the City regarding these investments and both parties have agreed that, should no other purpose for the funds be identified, the contributions will be allocated to fund affordable housing in the TOC developments. The VAF was executed by the City Solicitor, City Manager and Deputy Minister of Infrastructure in September 2022.

Affordable Housing

City Staff reported to Planning and Housing Committee regarding affordable housing in TOCs through PH3.23 and PH5.4 (see links above). The City has advocated for a layered approach where all parties including the Province, City & future TOC development partner commit to provide contributions toward achieving affordable housing within TOCs. The City and Province continue active discussions on a broader TOC program-based approach while also negotiating on a TOC site specific basis to address the local context.

In the layered approach, the Province would provide the value contribution made under the VAF to fund affordable units. The City could offer its available incentives (including Community Benefits Charge proceeds), provided that the affordable housing terms meet the City's requirements for depth and length of affordability, mix of unit sizes and other terms.

The Province has indicated that it will also require its TOC development partners to reserve up to 22% of units in TOCs for potential purchase and/or lease as affordable units. This option protects for the provision of additional affordable units if new funding sources become available, such as a federal contribution.

Displacement of Rental Housing and Tenant Assistance

IO has outlined to City officials the provincial approach to residential rental displacement and replacement in properties needed for subways projects. Unlike most developments in the city where redevelopment is proposed, there are two actors involved in transit projects.

Metrolinx's approach to relocation assistance for displaced tenants includes providing a relocation specialist to explain the process, assess tenant needs, and assist with searching for and moving to a new home. Metrolinx provides financial compensation which includes rent differential payments, inconvenience payments, early possession incentives, moving costs, and reimbursement of legal fees.

There will be a significant amount of time between when displacement occurs as part of the subway project and when replacement units can be built through a TOC; over ten years in some cases. Due to this extended time lag, IO has indicated that it will not require that its TOC development partners provide a right to return for previously displaced tenants at similar rents to those in effect at the time of the displacement. This approach does not comply with the policy framework in the City's Official Plan. City staff responded to IO's letter and reiterated the City's expectation that the Province comply with Official Plan policies on rental replacement housing.

Fifteen rental units have been identified in Ward 10 that are required for the Ontario Line. Those demolitions have already been completed. A further 63 units will be displaced in Ward 14. Staff are not aware of any residential rental units that would be displaced to facilitate delivery of the Scarborough Subway Extension, the Eglinton Crosstown West Extension or the Yonge North Subway Extension.

Resourcing for City Staff Review of TOC Proposals

The City's work on the Transit Oriented Community projects is framed by the MOU between the City and the Province signed in 2020. The Province does not file applications to support their TOC proposals and does not pay application fees.

Development application fees normally pay for staff hours required to process typical planning applications under a cost recovery model. The Province has agreed to enter a similar arrangement with the City to reimburse the City for staff time spent to support TOC review. The agreement will include funding for the period from September 20, 2023, to March 31, 2026, to the City to fund 12 new and 13 existing Full Time Equivalent (FTE) positions across several divisions to a maximum of \$4.906M in 2023 (retroactive), \$5.102M in 2024, \$5.152M in 2025 and \$1.759M in 2026. The resource requirements to support the TOC program will be reviewed annually with Infrastructure Ontario.

The proposed TOC Program Resourcing Agreement will mirror the agreements between the City and Metrolinx already in place to support the LRT Program, the GO Expansion Program, and the Subways Program. Resourcing agreements for these programs were concluded in 2012, 2017 and 2022 respectively. Under these agreements, Metrolinx reimburses the City for staff resources required to review and deliver its transit projects. This funding model is integral to the success of the transit expansion work across the City.

Under a similarly structured agreement, IO has agreed to fund the dedicated staff positions and to provide reimbursement for City staff on a "time spent" basis for time engaged in TOC related work based on the following key terms:

- The City will expedite, coordinate and complete its review, providing comments to the Province within 60 calendar days following receipt of a submission compliant with the City's submission terms of reference.
- The City will notify Infrastructure Ontario of any submission deficiencies that would inhibit a full review within 5 business days of receipt of the submission.
- City will complete a review of the resubmission materials and respond to the Province with outstanding concerns within 30 days.
- The City will receive a minimum of 5 business days to review MZOs.
- The Province and the City commit to adjusting timelines where needed based on proposal complexity and submission schedule.
- Payment to the City will be based on hours worked and the City will invoice Infrastructure Ontario on a monthly basis, identifying time spent by each staff member for each TOC site, and in a timely manner, with the payment due 60 days after receipt of the invoice.
- An annual work plan and budget estimates will be required for each Division for each calendar year and are to be submitted for review and approval annually.

Divisions engaged in TOC review have identified several temporary staff positions that are required to support expedited implementation of the TOC program and to provide critical City input into the TOC proposals. Refer to Attachment 1 for a detailed description of the proposed terms of a resourcing agreement to cover services to be

provided by each Division. Outlined below is a summary of the cost of the new positions by Division, needed for the period from September 20, 2023 to March 31, 2026.

- \$2.052 million gross and \$0 net to City Planning to fund 4 new positions;
- \$1.367 million gross and \$0 net to Engineering and Construction Services to fund 2 new positions;
- \$1.167 million gross and \$0 net to Parks, Forestry and Recreation to fund 2 new positions;
- \$1.429 million gross and \$0 net to Transportation Services to fund 2 new positions; and
- \$1.367 million gross and \$0 net to Toronto Water to fund 2 new positions.

City scope as it relates to the budget above includes:

- Engagement in early reviews of TOC concepts prior to a formal TOC submission. During this 2–6-month period, discussions may include matters such as existing conditions, related transit projects and site-specific opportunities/ constraints.
- Review of formal TOC submission materials. This would include internal coordination to provide a consolidated and coordinated set of comments to the Province for consideration. Comments would focus on applicable policies and guidelines, parkland dedication, public realm, built form and programming at grade while navigating complex challenges around land use, affordable housing, community benefits and servicing. Key staff and subject matter experts will attend meetings as necessary to address matters of City interest.
- Participation in provincially led public engagement including engagement with Councillors, preparation of logistics, presentation of the City's position at community meetings, and responding to questions of City staff.
- Reporting and attending Council in support of the report, responding to questions and collaborating on Councillor motions.
- Review & input into draft Minister's Zoning Orders.
- Input into Provincial Market Offering Documents. This is related to MOU negotiations respecting City interests. These obligations will be passed onto the development partner through the inclusion of the MOU in the Province's commercial agreement.

The intent of the TOC Resourcing Agreement is to ensure that the City can best support the Provincial TOC Program while limiting impacts on other City projects and operations. The TOC Resourcing Agreement is applicable only to the zoning stage of TOC developments. Subsequent planning approvals are expected to follow the City's standard processes and TOC development partners will be required to pay all applicable permit and application fees to support their applications. If a site is exempt from site plan control, IO will require the developer to pay the equivalent amount to the City to fund the review process.

UPDATES ON SPECIFIC TOC PROPOSALS

This section provides updates on the first series of TOCs that received zoning permissions in April 2022, the Gerrard Carlaw North TOC proposal that was submitted to the City in November of 2022 and the second round of TOCs that were submitted to the City in October of 2023.

Update on the First Round of TOC Proposals

In April 2022 the Province issued Minister's Zoning Orders (MZOs) that established planning permissions for TOCs at five Ontario Line station locations, four of which have two TOC sites.

- Corktown Station – comprising two city blocks between Berkeley Street and Parliament Street, south of King Street to Parliament Square Park, referred to as the Corktown block (north) and the First Parliament block (south)
- Exhibition Station – comprising sites on either side of the south end of Atlantic Avenue, referred to as the Atlantic site (east) and the Jefferson site (west)
- King and Bathurst Station – comprising sites on the northeast and southeast corners of the intersection of King Street and Bathurst Street
- Queen and Spadina Station – comprising sites on the northeast and southwest corners of the intersection of Queen Street and Spadina Avenue
- East Harbour Station – comprising the former Unilever lands south of the Lakeshore East rail embankment and east of the Don Valley Parkway

In summer 2023 IO issued expressions of interest to secure development partners for the King-Bathurst and Exhibition TOC sites. This is the first step of the marketing process for TOCs. The expressions of interest closed in December 2023, after which qualified bidders moved to a due diligence phase. This phase remains ongoing.

Development partners have already been secured for some TOCs. These include Cadillac Fairview at East Harbour TOC and Choice REIT at Gerrard Carlaw North TOC.

For each TOC site, the City and Province will enter a Memorandum of Understanding (MOU). This MOU will outline City requirements to be specified in the market offerings of the TOC and expectations of the development partner, as well as ongoing commitments between the City and Province related to later phases of TOC delivery. No MOUs have thus far been completed.

Gerrard Carlaw North TOC Proposal - Final City Position

Staff received the Gerrard Carlaw North TOC proposal in November 2022. The proposal comprises a mixed-use development on the northeast corner of Gerrard Street and Carlaw Avenue, directly adjacent to the future Gerrard Station along the Ontario Line. This proposal was a joint venture between the Province and an identified development partner, Choice Properties Ltd.

Through the full technical review by City Staff, several key issues were identified around built form, public realm, parks and open spaces, retail uses, servicing, access, sustainability, and community benefits. Staff also identified areas of non-compliance with City guidelines such as the Tall Buildings Guidelines and Retail Design Guidelines. Further review and negotiations with the Province concluded with a resubmission of the proposal and the submission of additional material, including a planning justification to address matters requiring a variance from City standards. An update on substantive matters is provided below.

Parkland, POPs and Public Realm

The Province through its technical advisor satisfactorily addressed Staff concerns regarding the physical and visual impacts of geothermal infrastructure proposed below the park. It was also identified that the combination of substantial park and POPS on site would provide an open space with unobstructed access to sunlight at all times of day. Crime Prevention Through Environmental Design (CPTED) concerns related to the POPS will be addressed through detailed programming and design at the site plan stage. The public realm proposed along Carlaw Avenue and the new east-west street meets the minimum width of 6m recommended by the Tall Buildings Guidelines.

Built Form

The planning justification report submitted to the City addressed the need for an increased tower floor plate to support the passive house principles and advanced sustainability measures built into the architectural design. Discussions also noted the provision of above-standard tower separation to improve sky views and sunlight. Detailed design of the transit plaza, tower stepbacks, activation strategies such as uses at grade, landscaping and public art to address CPTED concerns and future studies to address the impact of wind, noise and vibration were noted as matters that must be addressed at the time of site plan approval.

Affordable Housing

Inclusionary Zoning is not applicable as the Gerrard Carlaw PMTSA approval remains pending by the Minister. As directed by City Council, City staff have been looking for a greater amount of affordable housing in this development. Notwithstanding, the development partner has committed to providing 5% of all units as affordable ownership units if the development includes private ownership. Should the development partner include purpose built rental then they would not provide affordable units.

Transportation

A revised Transportation Considerations Report addressed concerns around roadway and intersection design including modifications and impacts to the proposed new east-west street to accommodate transit, signalization, laneway widening, provision of a pickup and drop-off area, bike share, traffic calming measures and pedestrian safety. Final design including cycling infrastructure will be determined through an application for Subdivision and the subsequent Site Plan process.

Tree Preservation

The resubmission did not include an Arborist report or Tree Preservation Plan as this documentation was provided through the Ontario Line project. Urban Forestry's comments including the submission of the relevant Toronto Green Standard checklist will be addressed at the Site Plan stage.

MOU and Subsequent Planning Processes

Over the past several months, City staff have engaged in negotiations regarding requirements for affordable housing, community benefits, servicing, parkland dedication, rail safety and subsequent planning approvals. The outcome of negotiations on specific matters will be captured through a site-specific MOU between the Province and City. The MOU will form part of the Province's Commercial agreement with the development partner.

Staff seek Council authority to conclude negotiations on outstanding matters and execute the MOU subject to terms as outlined in *Confidential Attachment 2*. The proposal review also clarified the need for subsequent planning approvals and confirmed that the TOC would be subject to a Plan of Subdivision and Site Plan processes. These applications are not expected in the immediate term given the site is required by Metrolinx for the construction of the Ontario Line Gerrard Station for a period of several years.

Zoning Certainty

Similar to earlier TOC proposals, City staff expect to receive a draft MZO for review later this year.

Details of the Gerrard Carlaw North TOC proposal are contained in *Attachment 3*.

Update on the Second Round of TOC Proposals

The City received six TOC submissions in October 2023, known as Eastern, Gerrard Carlaw South, Pape-Danforth, Pape-Cosburn, Thorncliffe Park and Lawrence-McCowan TOCs. This section of the report outlines applicable policy considerations, a high-level description including preliminary comments on each TOC and a summary table of development statistics.

Policy Considerations

Official Plan and Existing Zoning

The City of Toronto Official Plan guides development in the City. The Provincial Policy Statement recognizes the Official Plan as the most important document for implementation of provincial policies. Toronto Official Plan can be accessed at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Affordable Housing and Inclusionary Zoning

City Council has provided specific direction to City staff to seek up to 20% of units in TOC projects to be provided as affordable housing. While staff continue to negotiate based on this direction, no TOCs have included 20% affordable housing.

Inclusionary Zoning is only applicable within a Protected Major Transit Station Area (PMTSA). A PMTSA is generally defined as an area within approximately 500 to 800 metre radius of a transit station and representing about a 10-minute walk. In a PMTSA

Inclusionary Zoning may be applied to require developers to contribute affordable housing as part of any developments in the delineated area. Gerrard Carlaw and Pape station areas are designated PMTSAs, while Cosburn and Thorncliffe Park Stations are MTSAs. Lawrence East Station PMTSA has not yet been delineated and requires further study. The Minister of Municipal Affairs and Housing is the final approval authority for MTSAs and PMTSAs. To date no approval has been issued by the Minister. Therefore, while adopted by City Council, these MTSAs and PMTSAs are not yet in force.

On November 9, 2021, the City of Toronto adopted an Inclusionary Zoning (IZ) by-law, a regulatory tool that will require the provision of affordable housing units in all new developments located near transit stations. Where IZ applies, a percentage of units and/or residential gross floor area is required to be provided as affordable housing depending on where in the City they are located and the type of tenure (e.g. condominium or affordable rental). There is no minimum requirement for purpose-built rental housing. Higher requirements would be phased in until 2030. The term of affordability in the City's IZ framework is 99 years.

Applicable Secondary Plans & Planning Studies

On July 8, 2014, City Council requested the Chief Planner and Executive Director, City Planning to undertake a planning study of Danforth Avenue in two segments. The Segment 2 Study was conducted in accordance with Council direction including a Complete Streets approach, integrated transportation and economic development considerations, new affordable rental housing and other planning matters. The resulting OPA, SASP 772 and Urban Design Guidelines adopted by Council on April 6, 2022, focus on supporting transit-oriented development; creating opportunities for additional housing including affordable and supportive housing uses; conserving, maintaining and enhancing a historic main street character and existing cultural heritage resources; supporting a coordinated and robust public realm; and delivering on the City's sustainability mandate.

Of note, the Study recommended two nodes for further study; one each in the area of Broadview and Pape stations. While the node study areas have not yet been determined, it can reasonably be assumed that the Pape-Danforth TOC will fall within the Pape node.

Council has also requested that staff initiate a study in relation to the area of Gerrard Street and Carlaw Avenue. The scope of the Gerrard Carlaw Planning Study has subsequently been expanded to include an assessment of the impact of the Eastern, Pape-Danforth and Pape-Cosburn TOCs. Further work on this study is pending the outcome of the TOC zoning process.

Applicable Site and Area Specific Policies

SASP 154 & 247 (Gerrard Carlaw)

Site and Area Specific Policy (SASP) 154 permits a mix of residential and employment uses on lands designated as Employment Area if the building allows for a compatible environment. OPA 231 introduced SASP 247 which amends provisions for SASP 154 to

further develop provisions for residential uses in employment lands as well as introduce non-residential gross floor area replacement policies. However, SASP 247 is currently not in effect due to a historic site-specific appeal.

SASP 772 (Danforth Avenue Planning Study)

SASP 772 implements the recommendations of the Danforth Avenue Planning Study. It is applicable to the Pape-Danforth TOC and includes policies that provide for an increase in the permitted number of units in the area and provide flexibility for a range of housing type and tenures. The policies help to establish the vision for Danforth Avenue that generally maintains the existing fine-grained, mid-rise character of the street and identifies built form compatibility, public realm improvements, employment opportunities, heritage conservation, and complete streets as key priorities.

The SASP also identifies two nodes. These nodes provide for future opportunities to intensify and bring more affordable housing, employment, and community uses that would benefit from proximity to transit services offered at these stations. The TOC is located within the Pape Avenue subway interchange station node and is subject further study. Additional built form and intensification policies may be introduced through this analysis and apply to the TOC sites.

SASP 147 is applicable to lands known as 4 Thorncliffe Park Drive and permits Places of Worship and schools for religious education.

Applicable Guidelines

The following design guidelines have been used in the evaluation of these applications:

- Tall Building Performance Standards;
- Mid-Rise Buildings Performance Standards;
- Transit Design Guide;
- Growing Up Guidelines: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- City's Complete Streets and Pedestrian Priority Guidelines;
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/officialplanguidelines/design-guidelines/>


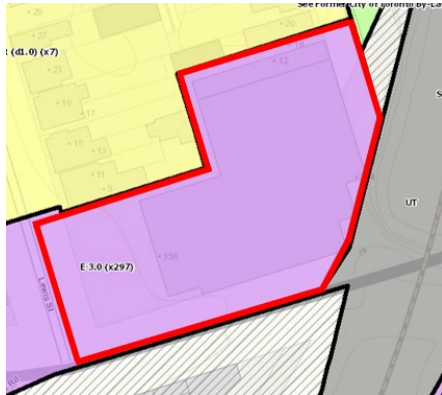
Second Round TOCs

The sections below provide a brief description of the six TOC proposals submitted by the Province as part of Round 2.

Eastern TOC

The Eastern TOC is associated with the East Harbour Transit Hub but is separate from the East Harbour TOC and is not under the ownership of Cadillac Fairview. The proposal is for a mixed-use development comprised of one mid-rise building at 9-11

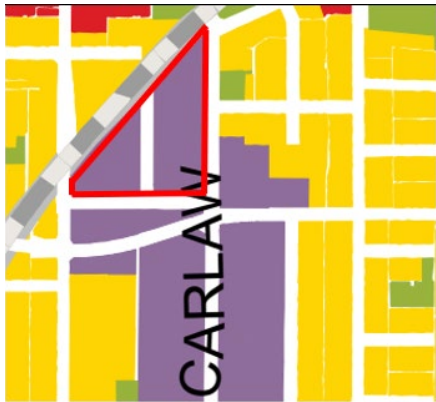
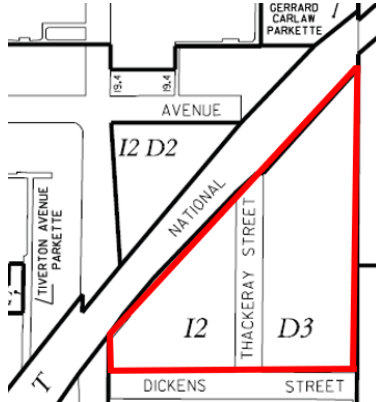
storeys. The proposal introduces residential and non-residential uses to the site, including four integrated townhouse units. The site is currently within a designated Employment Area and Provincially Significant Employment Zone.

Official Plan Designation (Map 18): General Employment	Zoning By-law 569-2013: Employment Industrial Zone
	

The proposal introduces new pedestrian connections to Eastern Avenue, including a proposed woonerf from Saulter Street to Lewis Street, and a pedestrian path from Eastern Avenue to Saulter Street between a crash wall as required for development adjacent to a heavy rail corridor and the proposed development. The site formerly housed a four-storey self storage facility and is currently in use to facilitate construction of the expanded Eastern Avenue rail bridge. Details of the Eastern TOC proposal are contained in *Attachment 4*.

Gerrard Carlaw South TOC

The Gerrard Carlaw South TOC is associated with the Ontario Line Gerrard Station but is not directly integrated to the station. The proposal is for a mixed-use master planned community comprised of four towers ranging from 12 to 39 storeys, and 3 mid-rise buildings ranging from 8 to 11 storeys. As shown in the figure below, the site is currently designated *General Employment* and zoned *Industrial*.


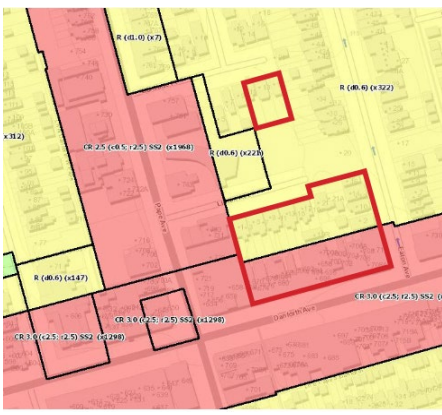
Official Plan Designation (Map 18): General Employment	Former Zoning By-law 438-86: Industrial
	

The proposal introduces residential, office, general commerce, and POPS uses to the site, as well as an extension of Badgerow Street west to Thackeray Street. The proposed office and general commerce uses are intended to replace the creative/maker spaces, business incubator and light industrial employment uses that currently exist at 388 Carlaw Avenue.

The existing building on the site is listed on the City's Heritage Register, however as the site is under Metrolinx ownership it is considered a Provincially owned Heritage Building and is subject to Provincial heritage processes. The proposal retains sections of the heritage building's facade and proposes to integrate some existing industrial roof trusses, boiler towers and two existing chimneys on the site into the proposed open space design. Details of the Gerrard Carlaw South TOC proposal are contained in *Attachment 5*.

Pape-Danforth TOC

The Pape-Danforth TOC is associated with the future Pape interchange station on the Ontario Line and Line 2. The proposal is for a mixed-use development with retail and residential uses. The TOC includes two sites: a 7 storey building facing Gertrude Place and a 29 storey building with 7 storey podium connected by a pedestrian bridge facing Danforth Avenue. As shown in the figure below, portions of the site are currently designated *Mixed Use Areas* or *Neighbourhoods* and zoned *Commercial Residential* or *Residential* respectively.

Official Plan Designation (Map 18): Mixed Use Areas & Neighbourhoods	Zoning By-law 569-2013: Commercial Residential (CR) Zone & Residential (R) Zone
	

The South Site contains the planned Ontario Line station entrance building, which is structurally integrated with the below grade station box and tunnels. The proposed development includes public realm improvements, including enhanced sidewalk zones and landscaping, a new mid-block connection, and a shared woonerf connecting Lipton Avenue through to Eaton Avenue. The built form includes active uses at grade and three levels of underground parking for vehicles and bicycles. Details of the Pape-Danforth TOC proposal are contained in *Attachment 6*.

Pape-Cosburn TOC

The Pape-Cosburn TOC is associated with Cosburn Station on the Ontario Line. The proposal is for a mixed-use retail and residential development. The TOC is comprised of two towers of 28 and 29 storeys on the northwest and southwest corners of Pape and Cosburn Avenues. As shown in the figure below, portions of the site are designated *Mixed Use Areas* and zoned *Commercial Residential*.

The Ontario Line station entrance is located on the north site with an emergency exit building located within the South site. Both buildings are structurally integrated with the below-grade station box and tunnels, which are to be delivered through the transit project. The proposal includes public realm improvements including enhanced sidewalk zones, landscaping and a shared woonerf connecting the two TOC sites. It introduces a series of privately owned public spaces (POPS) at key corner block locations, a transit plaza on the southwest corner of Pape Avenue and Cosburn Avenue on the North Site, and a residential plaza facing Gamble Avenue. Two retail plazas are located on the South Site, with a covered spill-out area at the Pape and Gowan Avenue intersection and a retail plaza at the Pape and Cosburn intersection. The TOCs provide no dedicated residential vehicular parking and include a small number of shared spaces to the rear of the buildings that are expected to support retail functions. The proposed developments include bicycle parking spaces in accordance with the City's Zoning By-law. Details of the Pape-Cosburn TOC proposal are contained in *Attachment 7*.

uses are intended to replace the industrial and commercial employment uses that currently exist on the site today. Details of the Thorncliffe Park TOC proposal are contained in *Attachment 8*.

Lawrence-McCowan TOC

The Lawrence-McCowan TOC is associated with Lawrence East Station on the Scarborough Subway Extension. The proposal is for three towers at 36, 24, and 24 storeys, a mixed use development comprising residential, office and retail uses. It contemplates a potential direct connection to the subway station within McCowan Road. As shown in the figure below, portions of the site are designated *Mixed Use Areas* and zoned *Commercial Residential*.

A public park is proposed at the south end of the site and a Privately Owned Public Space (POPS) is proposed at the intersection of Lawrence Avenue East and McCowan Road. The built form is set back 5m from the edge of the right-of-way to accommodate a pedestrian promenade with a double row of trees and includes the provision of a canopy to promote all-season, multi-purpose uses and an active frontage at grade along McCowan Road. Details of the Lawrence-McCowan TOC proposal are contained in *Attachment 9*.

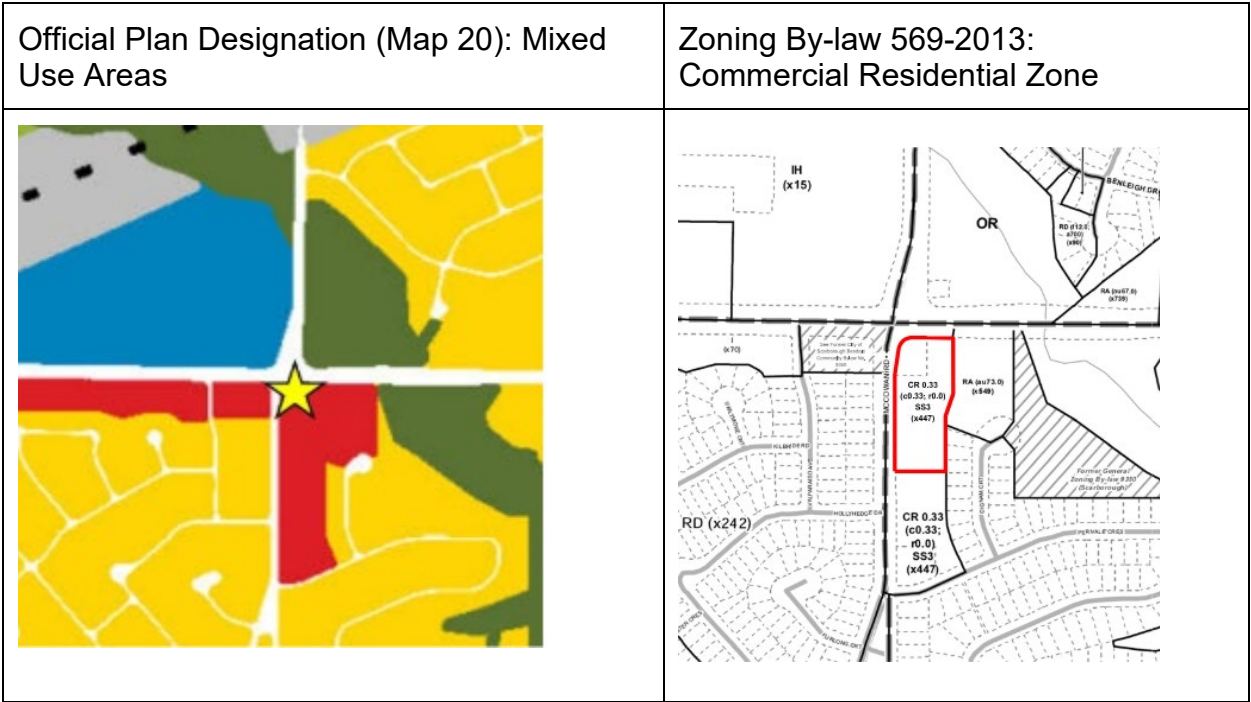


Table 2: Round 2 TOCs - Key Statistics

	Gerrard Carlaw S	Eastern	Pape- Danforth	Pape- Cosburn	Thorncliffe Park	Lawrence- McCowan
Gross Site Area (m2)	22,704	3,541	7070	6,894	25,651	10,400
Floor Space Index	7.1 (west) 4.9 (east)	3.5	5.6	6.1 (north) 7.8 (south)	8.45	6.3
Building Height (storeys)	40, 35, 30, 12, 11, 8, 8	11	29, 7	29, 28	56, 56, 46, 46, 31, 24, 13	36, 24, 24
Gross Floor Area (m2)						
Residential	98,309	11,348	37,342	45,342	193,694	50,632
Non-Res	13,385	907	2,150	2,208	22,926	7,849
Total	111,694	12,255	39,492	47,550	216,591	89,305
Number of units						
Total	1,314	142	439	623	2,665	774
Parkland / Open Space (m2)						
Parkland Dedication	1,426 + Cash in Lieu	Cash in Lieu	Cash in Lieu	Cash in Lieu	2,569	1,047
POPS	6,719	N/A	Not specified	Not specified	3,368	~590
Parking (number of spaces)						
Vehicular	508	25	111	14	1,298	228
Bicycle	1,486	162	488	756	3,057	Not specified

Staff Technical Review

Staff conducted a comprehensive technical and policy review of the Round 2 TOCs. Below is a summary of key findings as they relate to matters of City interest.

Employment Land Conversions

The Thorncliffe Park TOC (west and east sites), Gerrard Carlaw TOC, and Eastern TOC are proposed on lands designated Employment Areas according to Land Use Maps 18 & 20 of the Official Plan. Municipalities are required to plan for, protect, and preserve Employment Areas for current and future needs according to PPS (1.3.2.5). If authorized as proposed, Thorncliffe Park, Gerrard Carlaw and Eastern TOCs would constitute de facto employment land conversions.

Built Form

TOC reviews assessed the suitability of proposed TOC massing, including the proposed density, architectural articulation, setbacks, and tower step-backs in relation to public realm conditions and transition to the existing and planned context. Common issues identified in the TOCs include proposed tower heights, separation and floor plates, shadows, privacy, sky view and wind impacts on the proposed public realm, parks and open spaces.

Public Realm and Parkland

Lawrence-McCowan and Thorncliffe Park TOCs propose to satisfy their parkland dedication requirements via the conveyance of land to the City. Eastern, Gerrard Carlaw South, Pape-Danforth and Pape-Cosburn TOCs propose to provide cash in lieu of land. Per City policies and site feasibility, staff have recommended an off-site parkland dedication be considered at Gerrard Carlaw South and an on-site dedication be considered at Cosburn TOC. Each TOC also proposes open space areas that would be publicly accessible but privately owned and managed as POPS.

At Thorncliffe Park, Gerrard Carlaw South and Lawrence-McCowan TOCs, significant street improvements are contemplated that may include furnishings, upgraded paving treatments, spill out and gathering areas associated with adjacent active uses, and landscaping. Further opportunities will be available related to POPS spaces at Pape-Danforth and Pape-Cosburn.

Proposals for woonerfs at Pape-Cosburn, Pape-Danforth and Eastern offer a balance between mobility and placemaking which will be explored further in later stages of these developments. At Pape-Cosburn the laneways west of Pape Avenue are not fully in City ownership. Conveyance of lands will be required to achieve this.

Other opportunities that require further review include mid-block connections, programming of grade level spaces, shadow impacts on parks and open spaces, and maintenance of upgraded streetscapes within the public right-of-way.

Amenity Space

All TOCs submitted in Round 2 meet the requirements of a combined indoor and outdoor amenity space of 4.0 square metres per unit. Details and programming of the amenity spaces will be reviewed through the Site Plan approval process.

Affordable Housing

Staff review of the TOCs is prioritizing Council direction respecting affordable housing. Negotiations are ongoing based on the terms of the VAF.

Transportation

Transportation Services staff have reviewed the Transportation Impact Studies submitted in support of the TOCs and have identified concerns related to:

- Consolidating the servicing and driveway accesses or reducing their width and scale to ensure pedestrian safety and public realm continuity;
- Ensuring roadway and intersection designs, including potential signalization, maximize right-of-way efficiency and pedestrian safety;
- Providing traffic calming measures in strategic locations;
- Providing pick-up/drop-off areas; and,
- Consideration for bike share provisions on-site.

A number of the transportation infrastructure questions related to the larger network will be addressed in coordination with respective area studies.

Servicing

Functional Servicing and Stormwater Management Reports and associated plans have been submitted for the subject sites and have been reviewed by Engineering and Construction Services. Staff indicate that revisions and additional information are required. The submissions do not confirm existing capacity to support the proposed developments. Off-site infrastructure improvements may be required but the scope of those improvements are unknown pending further investigation.

The Thorncliffe Park and Gerrard Carlaw TOCs are proposed in Employment Areas where servicing capacity may be limited to serving existing uses and density. At Thorncliffe Park Metrolinx and Infrastructure Ontario are working together to determine whether the existing municipal sanitary and/or combined sewer system can support the proposed TOC development and what, if any, on-site and/or off-site improvements are required to support the TOC development. A similar effort has not been initiated at Gerrard Carlaw.

Rail Safety

A Rail Safety Assessment was included in the formal submission and is awaiting confirmation of Peer Review. Rail safety measures should be included at Gerrard Carlaw and Eastern TOCs given proximity of these sites to the Lakeshore East rail corridor. The City anticipates that rail safety mitigation measures will be required as part of these developments.

Rail safety measures are typically associated with heavy rail operations only. Subways, GO rail, VIA and freight rail are heavy rail systems. The Ontario Line will employ a

metro train system which is a light to medium rail technology. Heavy rail safety measures are thus not applicable to the Ontario Line.

Toronto Green Standard

Details of compliance with the Toronto Green Standard were not provided at the time of submission. These will be required at the time of site plan approval. All TOC proposals are expected to fully comply with the TGS standard that will be in effect when a site plan application is made.

Heritage

The Gerrard Carlaw South TOC is listed on the City's Heritage Register. The submission included a Heritage Addendum Report following the City's Heritage Impact Assessment terms of reference. However, as the site is Provincially owned, it is subject to Provincial Guidelines and Standards. The City will seek further information on compliance with City heritage policies once the site is transferred to a TOC development partner and is no longer under provincial ownership. Review of the report revealed a need for greater mitigation of impacts to the heritage façade at 388 Carlaw Avenue.

Community Infrastructure

The Official Plan recognizes that investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities include recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

All TOCs will be subject to the Community Benefits Charge. Revenues generated by the charge are intended to fund community facilities and services. In larger developments a facility may be secured as part of the project, subject to an agreement with the developer. Such in kind benefits would offset the charge. In kind community benefits are under consideration at Gerrard Carlaw South, Pape-Danforth and Thorncliffe Park TOCs.

Additional Information:

Full project information including all plans and reports can be found by visiting the City's Application Information Centre at <https://www.toronto.ca/city-government/planning-development/application-information-centre/#location=&lat=&lng=&zoom=> and on the City TOC webpage at <https://www.toronto.ca/services-payments/streets-parking-transportation/transit-in-toronto/transit-oriented-communities/#location=&lat=&lng=&zoom=>.

Community Consultation

The Province has strengthened its public engagement process to support the Round 2 TOCs. A Local Advisory Committee (LAC) has been established for each TOC, with

joint LACs for Pape-Danforth and Pape-Cosburn TOC, and for Gerrard Carlaw South and Eastern TOC. LAC membership is comprised of community members from Business Improvement Associations, neighbourhood associations, historical associations, and adjacent landowners who represented the community's interest. Each LAC will meet two to three times through the engagement process.

In addition to meetings of the LACs, a series of virtual and in-person Open Houses were held from February to April 2024. City Staff took an active role in this engagement, provided a summary of the City's technical review and reinforced Council directions regarding the TOC program.

Virtual open house sessions included a presentation from IO, their technical advisors and City Staff. In person open houses comprised a series of presentation boards and offered the public opportunities to discuss the proposals with the project team, voice their concerns and provide input on key community priorities. The feedback received through these engagement sessions will be summarised by the Province in a report that will be published on the respective project websites and provided to the City. Responses to questions directed to City Staff are posted to the City's TOC webpage at <https://www.toronto.ca/services-payments/streets-parking-transportation/transit-in-toronto/transit-oriented-communities/>.

Recordings of the open houses and a copy of the presentations for each of the TOCs are available on the EngageIO website found at <https://engageio.ca/en/transit-oriented-communities>.

Key areas of public interest for all TOCs may be summarised as follows:

- Rental Displacement and Replacement
- Affordable Housing
- Family Sized Units
- Public Park & Open Space Programming and Size
- Safety & Traffic
- Neighbourhood Connectivity
- Scale of Proposals Relative to Surrounding Context
- Phasing, Construction and Timelines
- Public Realm Activation & Safety
- Station Integration
- Local School Capacity
- Community Services

At Thorncliffe Park attendees to the open houses noted concerns with crime, capacity of the existing community centre, and fear of displacement of existing residents through demoviction and renoviction as new development raises the value of properties in the community. Concerns were also raised regarding schools at capacity, aging infrastructure, and strained emergency services.

Next Steps on Round 2 TOCs

Discussions are underway with IO and its consultants to address comments provided by Staff through the technical review of the Round 2 TOCs, as well as comments received through public engagement. These negotiations are expected to take place over the second and third quarters of 2024. A second round of public engagement will be undertaken to review revisions to the TOC proposals, following which the Province will move to secure zoning certainty for the TOCs. At the conclusion of the review period Staff will report to Council to outline the City's position on the Batch 2 TOCs and to identify issues remaining to be resolved through later stages of TOC delivery.

CONTACT

Tom Schwerdtfeger, Program Manager, Transportation Planning
Tel. No: 647-888-0896
E-mail: Thomas.Schwerdtfeger@toronto.ca

James Perttula, Director, Transportation Planning
Tel. No: 416-392-4744
E-mail: james.perttula@toronto.ca

SIGNATURE

Kerri A. Voumvakis
Interim Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Proposed Terms for the TOC Resourcing Agreement
Attachment 2: Draft terms for the MOU for Gerrard Carlaw North TOC (Confidential attachment)
Attachment 3: Gerrard Carlaw North TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 4: Eastern TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 5: Gerrard Carlaw South TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 6: Pape TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 7: Pape TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 8: Thorncliffe Park TOC Proposal Summary Sheet, Site Plan, 3D Model
Attachment 9: Lawrence TOC Proposal Summary Sheet, Site Plan, 3D Model

Attachment 1: Proposed Terms for the TOC Resourcing Agreement

The following terms will form the basis for an agreement between the City of Toronto and Infrastructure Ontario concerning the City of Toronto professional services in support of Ontario's Transit-Oriented Communities ("TOC") program for the period from 2023 to 2026 (September 20, 2023, to March 31, 2026).

The Transit-Oriented Communities (TOC) program is part of the government's plan to capture the value created through the investment in new, sustainable transit by placing more housing, jobs, retail and public amenities at transit stations along the Province's four priority subway projects.

In support of the Memorandum of Understanding (MOU) on Transit-Oriented Development ("TOC Program MOU") as executed by the Province and the City of Toronto in February 2020, each TOC site will be treated by the Parties as a priority development to ensure that the committed project delivery schedules are met.

The TOC Program MOU establishes a series of shared objectives for the development of TOCs and identifies the roles and responsibilities of the Province and the City for TOCs that are specific to the Subway Program. The Province acknowledges that funding for additional City resources is needed for the City to be able to operationalize these commitments.

Scope of City of Toronto Services

The City of Toronto scope of work shall be aligned with the following agreed upon items:

a) **Review early TOC design concepts (Step 0 of the TOC Municipal Review and Public Engagement Process ("TOC Review Process"))**. IO and City staff have agreed to pursue early discussions to shape TOC development proposals prior to IO making a formal TOC submission. The timelines for these discussions will vary with specific sites. City staff will work to timelines agreed upon in advance for these discussions and any required formal submissions to IO. The scope of this work will include, but is not limited to, site and context analysis, review of concepts, investigations into existing and planned mobility and servicing conditions, coordination with transit project reviews, identification of site-specific constraints and opportunities, City internal reviewer coordination meetings, working group meetings with IO, Ministry of Infrastructure, Ministry of Municipal Affairs and Housing, Metrolinx, and other ministries and agencies as required.

b) **Review of TOC Development submissions**. As part of the TOC Review Process, IO will make formal TOC submissions to the City, including all studies and information as agreed. City Planning staff will receive and circulate TOC submission packages and coordinate the engagement of all relevant City Divisions in the review of TOC development submissions. The City agrees to review all design submissions and provide consolidated comments to IO, and attend meetings with IO and development partners as needed. The City shall endeavour to provide comments in accordance with the review timelines and based on complete information.

City Planning and other departments as needed, will engage in the IO-led public engagement process and will provide requested inputs to meeting materials and public engagement plans. This may include participating in logistical preparation meetings, coordinating on presentation material and key messaging, developing responses to questions of City staff, and engaging with Councillors for initial feedback and priorities in a timely manner. City staff may also be expected to present at provincially led public meetings and open houses.

City staff are focused on providing comments and advice to IO on matters including but not limited to:

- Existing and planned context in the area of the TOC, including the specific planning framework and permissions;
- Analysis around parkland dedication per current City policy;
- Built form, open space, public realm, programming and transition matters;
- Navigating specific planning challenges, including areas where TOC proposals represent in effect an employment conversion;
- Navigating the interests of the local Councillor and City Council;
- Forming the Local Advisory Committee and the approach to broader community engagement;
- Meeting City design guidelines for future buildings;
- Identifying issues that will require further work by the Province or its future development partner (e.g., site servicing, engineering, and traffic studies, and other matters not covered in the zoning stage);
- Identifying City requests for community benefits in each TOC development;
- Advising on the nature of Provincial community benefits elements, including affordable housing;
- Framing the zoning requirements in a way that is consistent with the City's Zoning By-laws; and
- MOU discussions on a site-specific basis. City staff will review the draft MOU, circulate as needed, negotiate terms, and finalize agreements.

City staff will prepare an initial status report to Council, and review the draft report with all relevant stakeholders, coordinate with City Clerk, the Chief Planner, affected Councillors and others on report timing, content and recommendations; and will attend Council in support of the report, respond to questions of staff and collaborate on Councillor motions. This is generally expected to happen after the first phase of community engagement and City review.

The City shall notify IO within 5 business days of receipt of a TOC submission of any deficiencies in the material and information submitted that will inhibit a full review and which may cause a delay in the City's review.

City staff will prepare a closing status report to Council outlining matters remaining to be resolved at later stages of development, matters that have been agreed between the Province and the City and that will inform the MOU, authorities required to give effect to the agreed matters, and any TOC program updates.

c) Reviewing draft Minister's Zoning Orders. To meet project delivery timelines and commercial obligations, the Province may issue a Minister's Zoning Order to achieve zoning certainty in a timely manner. The decision will be at the discretion of the Minister of Municipal Affairs and Housing. The Province will provide City staff a minimum of one week to review and provide input into the draft order.

d) Input into IO Market Offering Documents. City staff will provide input into IO's market offering documents as requested by IO within agreed upon timelines or may be called upon to provide clarification during the market offering process. In respect of commercial agreements between IO and future developer partner, site specific MOUs will outline City interests and IO will pass on any obligations identified therein to the developer partner through its commercial agreement with the developer partner.

Ineligible Expenses

The agreement will only cover the above noted specific TOC-related activities. The agreement will not cover ineligible expenses such as government-to-government negotiations, and costs associated with the City's involvement with SmartTrack stations or other City-initiated projects. The agreement is not meant to duplicate any resource funding for City support on the priority transit projects already outlined in agreements with Metrolinx or the Ministry of Transportation.

Future Site Plan Approvals.

TOC developer partners will be expected to submit site plan applications to the City, based on a process and timelines agreed by IO and City Planning Division. TOC developer partners will be expected to pay site plan application fees, and as such, City staff will not charge back to IO for their time spent on site plan review.

Cost Recovery Budget for Professional Services

IO agrees to fund the dedicated City staff positions and to provide reimbursement for Full Time Equivalent ("FTE") City staff on a "time spent" basis for the TOC-related work. Requests for changes to staffing and estimates for time spent in subsequent years will be reviewed and approved as part of an annual Work Plan approval process.

The City and IO will agree to a maximum annual cost of professional services that will be provided by City staff. This will be based on the annual work plan and budget estimate to carry out the City's review for the planned TOCs.

The City shall submit monthly invoices for time engaged in the work within 60 days after the end of each month.

Implementation

The City shall provide a consolidated Staff List to IO. The City will assign staff with sufficient experience to perform the work as outlined. If the City requires alternate staff to provide the required services, prior to commencing work by that staff, it shall prepare and submit a revised Staff List detailing the additional positions to be utilized and the

reasons for the additions, for the approval of IO. IO will not issue any payment of fees for any new staff personnel until the updated Staff List is approved.

IO will monitor the upset budget limit and will give notice 120 business days in advance if funds are close to the upset limit and revisions are required to the City's annual Work Plan. The City will not be required to provide the services under this Agreement which exceed the City's annual Work Plan, as may be amended from time to time.

Expedited City Reviews

The City agrees that all Technical Reports and Studies associated with the TOC site that are submitted by or on behalf of IO for review shall be fully reviewed and comments shall be provided to IO no later than 60 calendar days following the receipt of the Technical Reports and Studies, provided the reports and studies accord with the City's related terms of reference.

The City will notify IO within 5 business days of any deficiencies in the material and information submitted that will inhibit a full review and provision of comments on the Technical Reports and Studies.

The City will review the second TOC submission within 30 calendar days to assess the degree to which City comments are addressed, and respond to IO.

Timelines may need to vary at key stages, based on the complexity of the specific TOC. If for any reason the City is unable to complete its review and provide comments within the agreed timeline, the City shall:

- notify IO immediately in writing and set out the reason for seeking an extension in the time allotted for review and comment; and
- take all reasonable steps to complete its review and provide comments within a timeframe acceptable to IO acting reasonably, bearing in mind the need not to delay the project which is the subject of the review and that IO agreed to pay the City fees solely for the purpose of ensuring that reviews are completed and comments and approvals are provided to IO on an expedited basis.

IO will confirm or reject the request for extension. Should City comments be delayed, the Province may challenge City charges if applicable.

The Province will commit to discussions to determine the complexity of particular TOC proposals early in the process; and advance information sharing on the expected schedule of new TOC proposals to allow the City to plan its resource allocation.

**Attachment 2: Draft terms for the MOU for Gerrard Carlaw North TOC
(Confidential attachment)**

Confidential attachment provided under separate cover

Attachment 3: Gerrard Carlaw North TOC Proposal Summary Sheet

Address	425-471 Carlaw Avenue
Proposal	Mixed Use (residential, retail, transit, park, road and POPs uses) 3 towers: a 40-storey tower, a 35-storey tower and a 30-storey tower 2-6 storey podium, including connection to transit station on southwest corner of podium
Official Plan Designation	Mixed Use Areas
Official Plan Map	Map 18 – Land Use Plan
Existing Zoning	CR 1.5 (c0.5; r1.0) SS2 (x1584)
Heritage Designation	None
Site Information	Site Area: 22,704 m ² (244,379 ft ²) Frontage - Carlaw Avenue: 181m Frontage – Pape Avenue: 62m Frontage – Lane: 176m Depth: ~130m (varies)
Project Data	Height - Metres: 110m, 125m, & 141m Height – Storeys: 30, 35 & 40 Tower Floor Plate: 825 m ² Floor Space Index: 4.06 Non-residential GFA: 7,810 m ² (84,071ft ²) Retail GFA: Retail 1: 1,331 m ² (14,320 ft ²) Retail 2: 1,108 m ² (11,920 ft ²) Retail 3: 164 m ² (1,770 ft ²) Food Store: 3,450 m ² (37,137 ft ²) Residential Units: 1,080 Residential GFA: 84,432 m ² (908,815 ft ²) Unit Mix: Studio: 93 (9%) 1-Bd: 421 (39%) 1-Bd+Den: 166 (15%) 2-Bd: 176 (17%) 2-Bd+Den: 105 (10%) 3-bd: 119 (10%) Parking Spaces: 410 Bicycle Parking Spaces: 1,098 Loading Docks: Type A: 1; Type B: 3; Type C: 2; Type G: 1 Indoor Amenity: 2,343 m ² (25,327 ft ²) Outdoor Amenity: 2,177 m ² (23,440 ft ²) Stratified Parkland: 3,370 m ² (36,274 ft ²) POPS: 5,518 m ² (60,478 ft ²)



Figure 1: TOC Site Plan



Figure 2: Artist rendering depicting the proposed development within surrounding context and OL station looking west.

Attachment 4: Eastern Ave TOC Proposal Summary Sheet

Address	356 Eastern Avenue
Proposal	Mixed Use (residential, non-residential) 2 mid-rise buildings at 11 and 9-storeys Woonerf connection between Saulter St and Lewis St
Official Plan Designation	General Employment Area
Official Plan Map	Map 21
Existing Zoning	Employment Industrial
Heritage Designation	None
Site Information	Site Area: 3,541 m2 Frontage: 33m Depth: 61m
Project Data	Height - Metres: 40m, 32m Height – Storeys: 11, 9 Floor Space Index: 3.5 Non-residential GFA: 907 m2 Residential Units: 124 Residential GFA: 11,348 m2 Unit Mix: Townhouses: 4 1-Bd: 100 2-Bd: 21 3-bd: 14 Parking Spaces: 25 Bicycle Parking Spaces: 162 Loading Docks: 4 Indoor Amenity: 354 m2 Outdoor Amenity: 291 m2

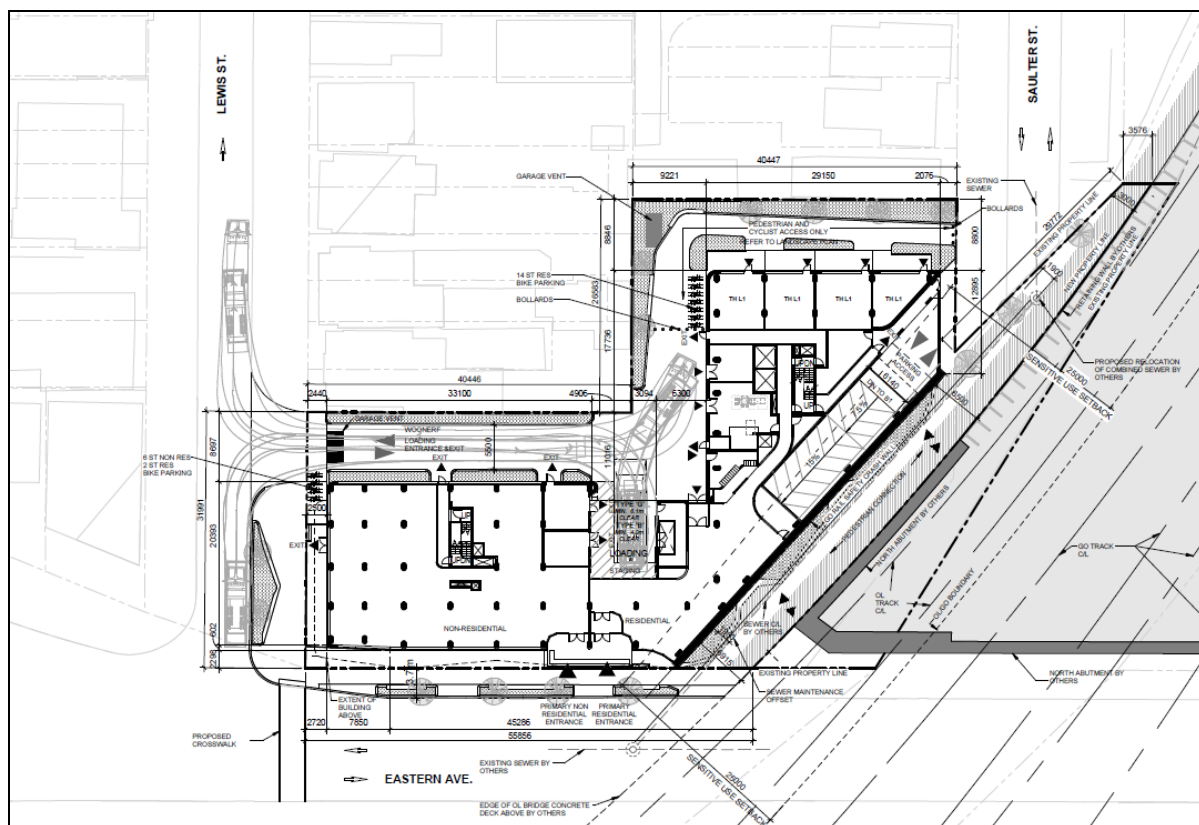


Figure 3: TOC Site Plan



Figure 4: 3D Model

Attachment 5: Gerrard Carlaw South TOC Proposal Summary Sheet

Address	388 Carlaw Avenue and 10 Dickens Street
Proposal	Mixed Use (residential, retail, office, general commerce uses, and POPS and road extension) 3 towers: a 40-storey tower, a 35-storey tower and a 30-storey tower 3 mid-rise buildings: 12-storey, 11-storey, and two 8-storey buildings 4-6 storey podiums
Official Plan Designation	General Employment Area
Official Plan Map	Map 21
Existing Zoning	Industrial – I2 D3 (Former City of Toronto By-law 438-86)
Heritage Designation	388 Carlaw Listed on City Heritage Register. Not designated under Ontario Heritage Act.
Site Information	Site Area: 19,290 m ² Frontage – 10 Dickens Street: 94m Frontage - 388 Carlaw Avenue: 220m Depth - 10 Dickens Street: 80m Depth - 388 Carlaw Avenue: 70m
Project Data	Height - Metres: 122m, 101m, 80m, 41m, 29m, 26m Height – Storeys: 39, 30, 23, 12, 11, 8 Tower Floor Plate: 740-750 m ² Floor Space Index: 10 Dickens St: 7.1 388 Carlaw Avenue: 4.9 General Commerce GFA: 5,453 m ² Office GFA: 5,788 m ² Retail GFA: 2,144 m ² Residential GFA: 98,309 m ² Residential Units: 1,314 Unit Mix: Studio: 1-Bd: 896 2-Bd: 270 3-Bd: 147 Parking Spaces: 508 Bicycle Parking Spaces: 1,486 Loading Docks: 11 Indoor Amenity: 2,658 Outdoor Amenity: 2,153 m ² POPS: 6,719 m ²

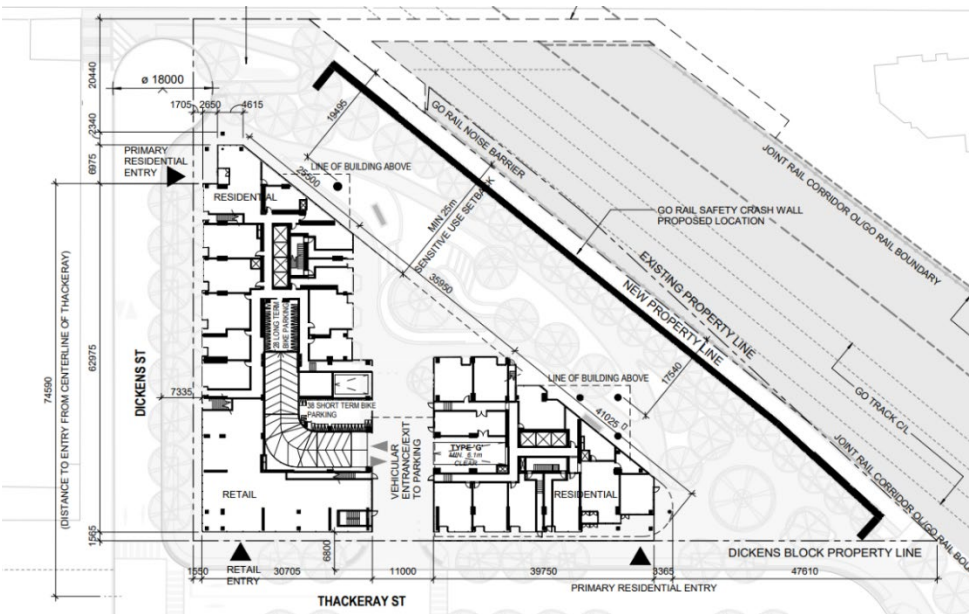


Figure 5: Proposed TOC Site Plan – 10 Dickens Street

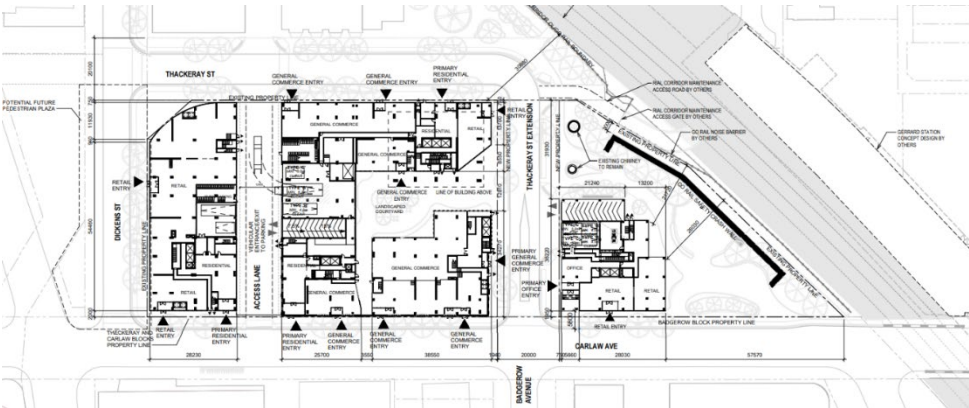


Figure 6: Proposed TOC Site Plan – 388 Carlaw Avenue



Figure 7: 3D Model

Attachment 6: Pape TOC Proposal Summary Sheet

Address	670-710 Danforth Avenue 1-21A Lipton Avenue 2-16 Eaton Avenue 11-13 Gertrude Place
Proposal	Mixed Use (residential, retail, transit, and POPS) 2 residential towers: 29 storeys and 7 storeys 7 storey podium on south site
Official Plan Designation	Mixed Use Areas & Neighbourhoods
Official Plan Map	Map 18
Existing Zoning	CR 3.0 (c2.5; r2.5) SS2 (x2426) R (d0.6) (x322)
Heritage Designation	Heritage potential along Danforth Avenue, no properties listed or designated
Site Information	Site Area: 3,541 m ² Frontage: 33m Depth: 61m
Project Data	Height - Metres: 94m, 23-26m Height – Storeys: 29, 7 Tower Floor Plate: 750 m ² Floor Space Index: 8.45 Non-residential GFA: 2,150 m ² (23,142 ft ²) Residential Units: 439 Residential GFA: 37,342 m ² (401,946 ft ²) Unit Mix: 1-Bd: 280 (64%) 2-Bd: 91 (21%) 3-Bd: 68 (15%) Parking Spaces: 111 Bicycle Parking Spaces: 488 POPS: 3,368 m ² (36,252 ft ²)

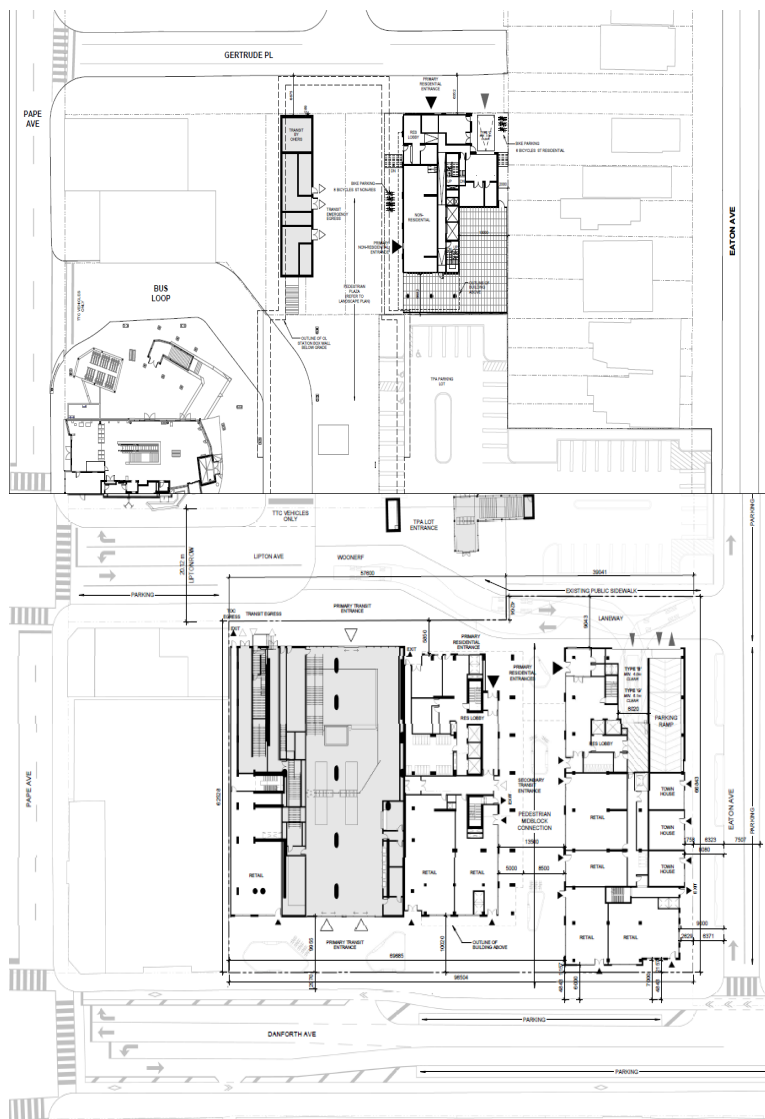


Figure 8: TOC Site Plan




Figure 9: 3D Model

Attachment 7: Cosburn TOC Proposal Summary Sheet

Address	1002-1052 Pape Avenue
Proposal	2 mixed use towers with associated podiums and retail at grade
Official Plan Designation	Mixed Use Areas
Official Plan Map	Map 18
Existing Zoning	CR 2.5 (c2.5; r1.0) SS2 (x1163)
Heritage Designation	None
Site Information	Site Area: 6,894 m2 (74,206 ft2) (both blocks) Frontage (Pape Avenue): 92m (north block), 92m (south block) Frontage (Cosburn Avenue): 36m Frontage (Gowan Avenue): 39m Frontage (Gamble Avenue): 44m
Project Data	Height - Metres: 95m, 90m Height – Storeys: 29, 28 Tower Floor Plate: 850 m2 Floor Space Index: 6.1 (north site), 7.8 (south site) Non-residential GFA: 2,208 m2 (23,767 ft2) Residential Units: 623 Residential GFA: 45,342 m2 (488,057 ft2) Unit Mix: Studio: 26 (4%) 1-Bd: 338 (54%) 2-Bd: 199 (32%) 3-Bd: 60 (9%) Parking Spaces: 6 (north site), 8 (south site) Bicycle Parking Spaces: 356 (north site), 400 (south site) POPS: 3,368 m2 (36,252 ft2)

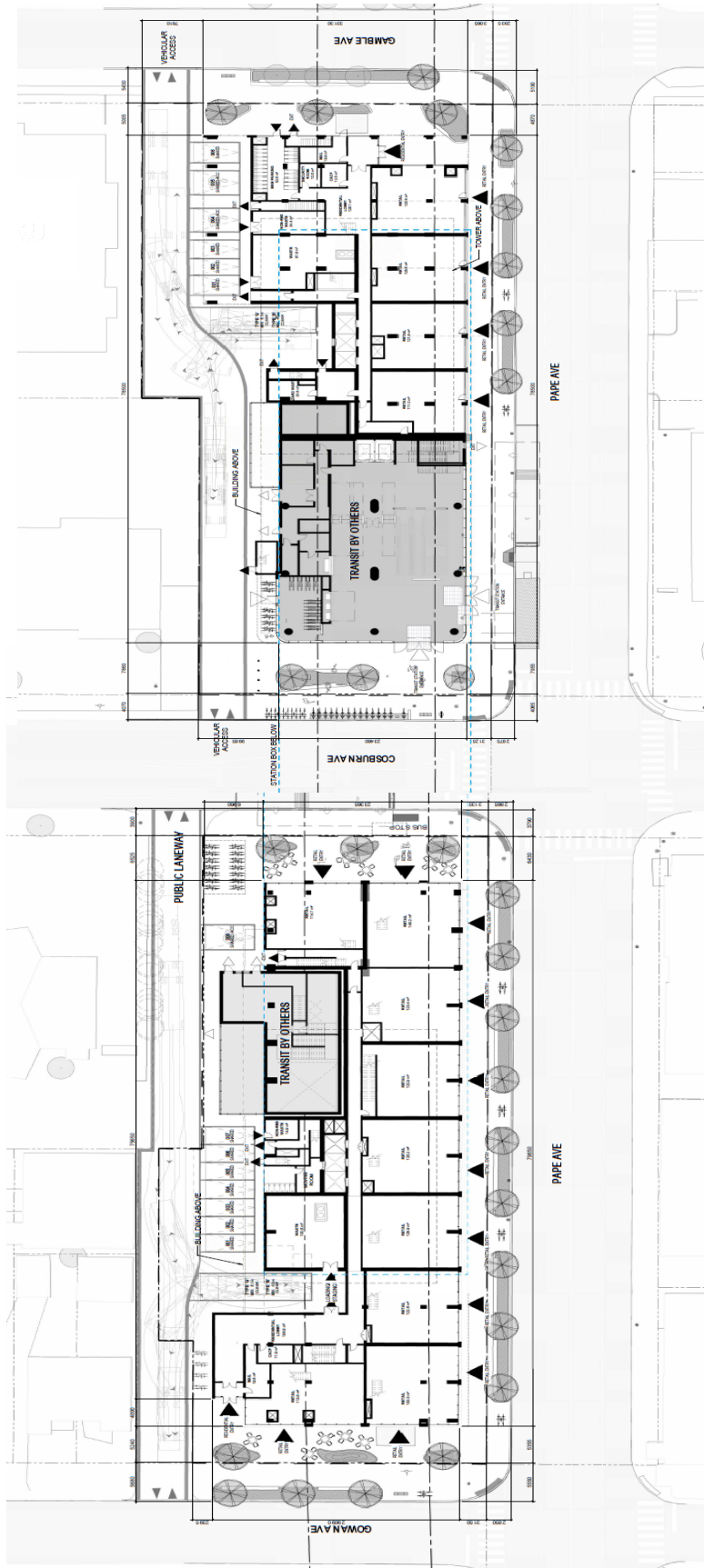


Figure 10: TOC Site Plan



Figure 11: 3D Model

Attachment 8: Thorncliffe Park TOC Proposal Summary Sheet

Address	4-10 Overlea Blvd 14-16 Overlea Blvd 26 Overlea Blvd 6 Thorncliffe Park Drive 36 Overlea Blvd
Proposal	Mixed Use (residential, retail, office, transit, park, and POPS) 6 residential towers: 13 – 56 storeys and 1 office tower 2 - 12 storey podiums
Official Plan Designation	General Employment Area
Official Plan Map	Map 20 – Land Use Plan
Existing Zoning	West Sites Employment Industrial (EO (e0.75; o2.0) and EO (e0.75; o2.0) (x22)) East Sites Employment Industrial (EO (e0.75; o2.0) (x22)) and Business Centre (BC-12) and (BC-13) under former Town of Leaside Zoning By-law 1916.
Heritage Designation	None
Site Information	Site Area: 25,651 m ² (276,105 ft ²) Frontage: 316m (across all sites) Depth: 75-81m
Project Data	Height - Metres: 56m, 153m, 170m, 142m, 166m Height – Storeys: 13, 46, 56, 46, 56 Tower Floor Plate: 750 m ² Floor Space Index: 8.45 Non-residential GFA: 22,897 m ² (246,461ft ²) Retail GFA: 6,789 m ² (73,076 ft ²) Office GFA: 16,137 m ² (173,697 ft ²) Residential Units: 2,665 Residential GFA: 193,694 m ² (2,084,904 ft ²) Unit Mix: Studio: 2 (0.7%) 1-Bd: 1,709 (64%) 2-Bd: 647 (24%) 3-Bd: 307 (11%) Parking Spaces: 1,298 Bicycle Parking Spaces: 3,057 Stratified Parkland: 2,596 m ² (27,943 ft ²) POPS: 3,368 m ² (36,252 ft ²)

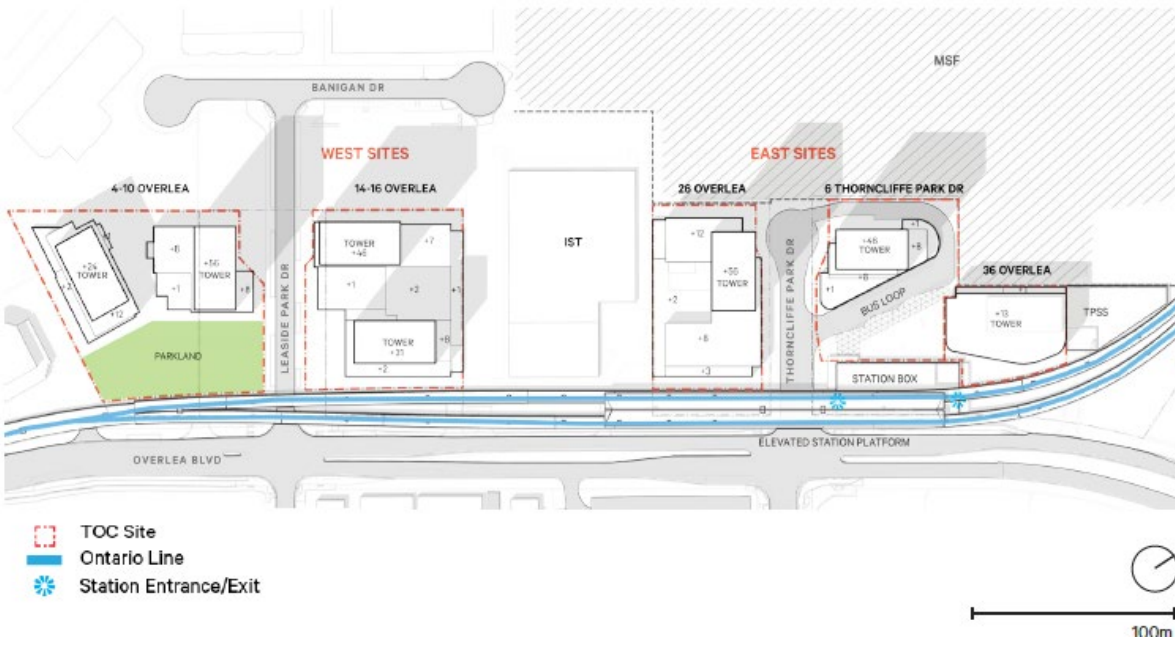


Figure 12: TOC Site Plan

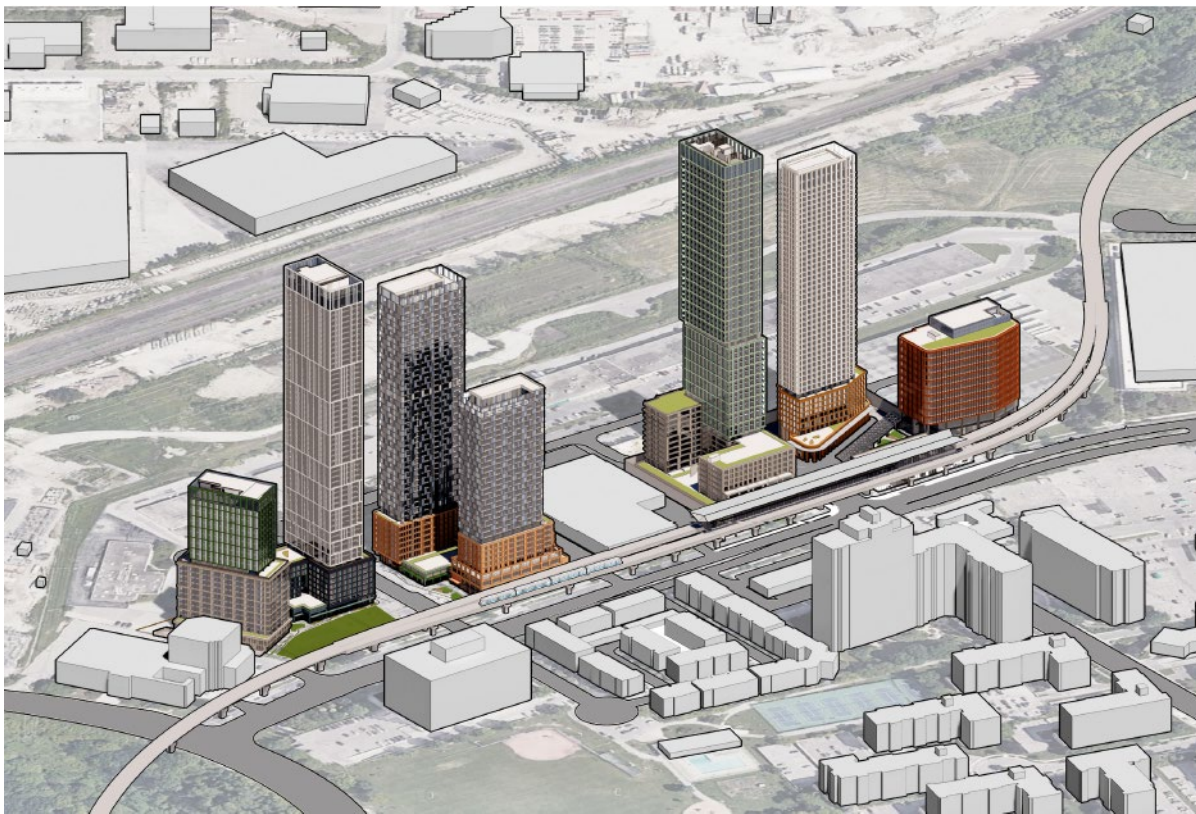


Figure 13: 3D Model

Attachment 9: Lawrence-McCowan TOC Proposal Summary Sheet

Address	685-697 McCowan Road 3091 Lawrence Avenue East
Proposal	Mixed Use (residential, retail, office, transit, park, and POPS) 3 mixed use towers 8 storey podium
Official Plan Designation	Mixed Use Areas
Official Plan Map	Map 20
Existing Zoning	CR 0.33 (c0.33; r0.0) SS3 (x507)
Heritage Designation	None
Site Information	Site Area: 10,400 m ² (111,945 ft ²) Frontage (McCowan Rd): 162m Frontage (Lawrence Ave.): 64m
Project Data	Height - Metres: 135m, 93m, 93m Height – Storeys: 36, 24, 24 Tower Floor Plate: 750 m ² Floor Space Index: 6.3 Non-residential GFA: 7,849 m ² (84,486 ft ²) Retail GFA: 1,405 m ² (15,123 ft ²) Office GFA: 6,444 m ² (69,363 ft ²) Residential Units: 774 Residential GFA: 50,632 m ² (544,998 ft ²) Parking Spaces: 228 Bicycle Parking Spaces: not specified Parkland: 1,047 m ² (11,269 ft ²) POPS: ~590 m ² (~6,350 ft ²)

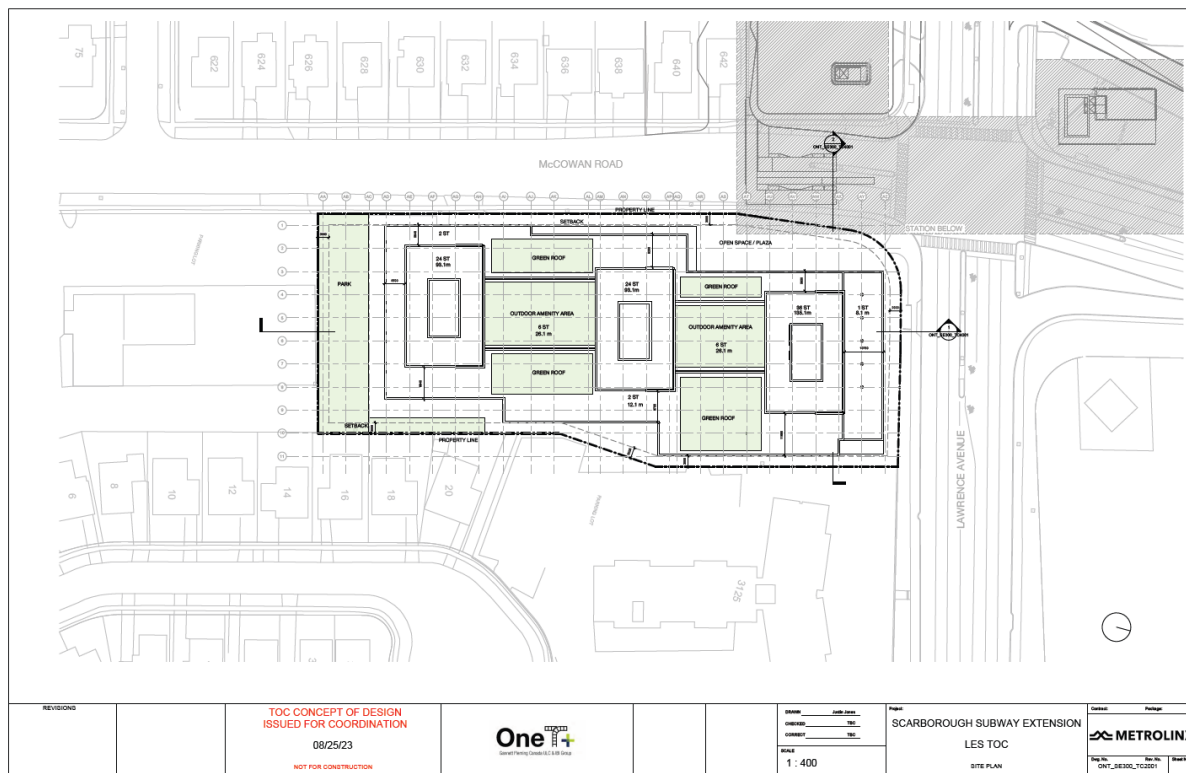


Figure 14: TOC Site Plan

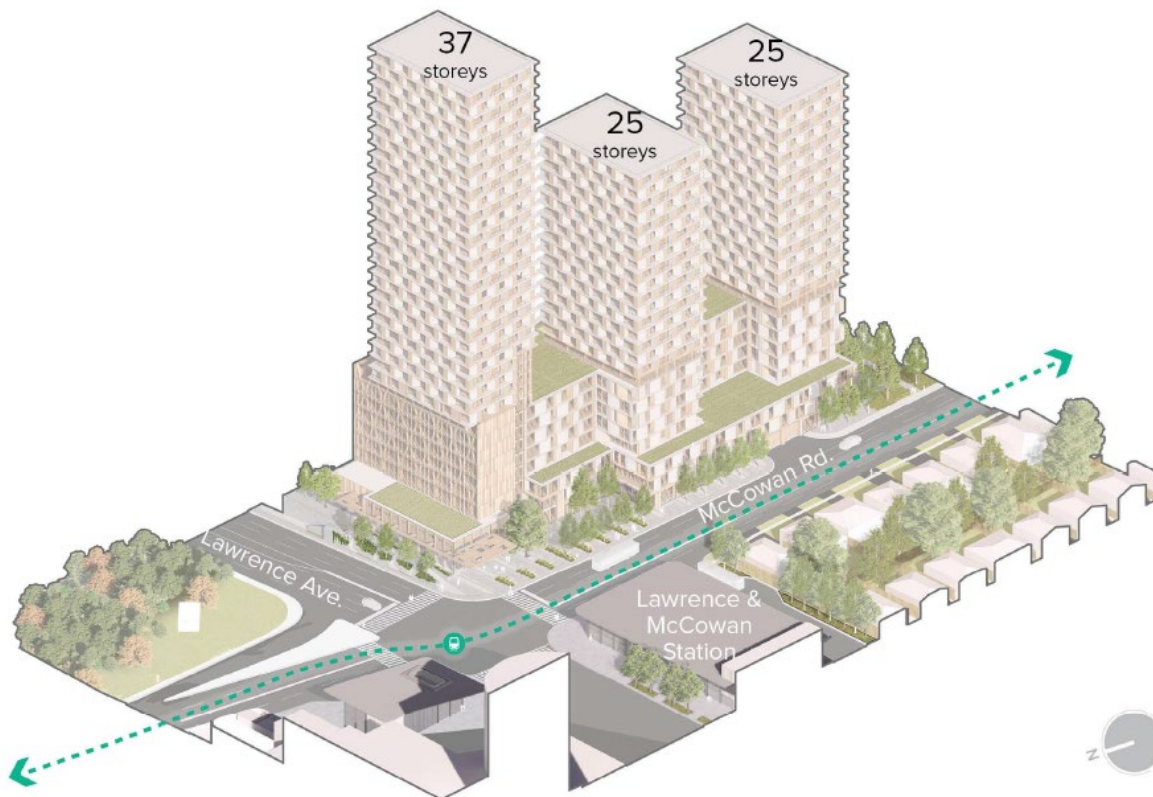


Figure 15: 3D Model