



January 28, 2024

Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2
Attention: Nancy Martins

RE: PH9.1 Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhoods - Decision Report – Approval (Wards 8, 12, 15)

Dear Chair Councillor Gord Perks, and Members of Planning and Housing Committee,

This report concerns the implementing Zoning Bylaw Amendment (ZBA) for lands designated Apartment Neighbourhoods in OPA 405. Our comments raise some policy issues related to the proposals, rather than specific place based issues with the proposed ZBA:

1. Protected Major Transit Station Areas (PMTSA)

The report notes (page 1, page 6) that the lands are located within the Council-adopted Major Transit Station Areas (July 19, 2022). However the report does not mention that while the City submitted its MTSA and PMTSA (the latter with associated inclusive zoning policies) plans by the due date (July 2022) the Province has not issued any decision on the PMTSAs to date. This is a serious failure of the Province to partner with municipalities to produce affordable housing

We recommend that:

- **the City continue to request Provincial approval of inclusive zoning policies and actively communicate the failure of the Province to approve inclusive zoning policies to its residents, and work with other municipalities to ensure the Province follows through on this policy direction.**

2. Regulation of building size

The report proposes "regulating building size by form rather than by maximum floor space index". There is a minimum FSI in the by-law for MTSA (and PMTSAs if

approved by the Province), which aligns with the minimum set out in the Council-adopted OPA 405. However there is no requirement for a maximum FSI.¹

This is concerning primarily because, FSI measures density, form does not. In our opinion they are complementary and both are needed. Without FSI we are likely to see bland, boxy towers with minimal design or creativity, but massive density.

The City has a long history of flip-flopping on this issue. In the 1970s, the Zoning Bylaw implementing the Central Area Plan abandoned FSI and regulated residential density with units per hectare. This change resulted in very large units. Following that, we had the same discussion with the original Harmonized Zoning By-Law. City OP policies and zoning regulations have not been updated for most mixed use and apartment neighbourhoods across the City since amalgamation. Updating has been through site specific applications, setting the FSI or any other density metric.

We need a growth management plan on a City-wide basis with population allocations and long-term infrastructure coordination. With only building height data and no density information, that kind of planning is impossible. A preferred approach used throughout the world is to use a combination of available controls that are complementary, and address different planning issues and provide the critical data required for measuring progress.

We recommend that:

- **the City reinstate the use of maximum FSI to regulate building size**
- **the City set up a data collection system that will include the needed growth management information.**

3. Provincial overruling of OPA 405 Yonge Eglinton Secondary Plan

The proposed ZBA for Apartment Neighbourhoods and Parks is based on the Province-approved OPA 405 (2019) which overruled the City adopted OPA 405 (2018) Yonge Eglinton Secondary Plan with 194 changes. We note that in the Bayview Focus Area (not part of the proposed ZBA under consideration) the Provincial override resulted in a 400% increase in the number of storeys.

With the ZBA the City is moving to implement the height ranges introduced into OP Amendment 405, by the Province but overlooks the approved policies in the Amendments which conflict with the height ranges.

¹ Communication from Matt Armstrong: author of the staff report: City Council has adopted 5 area-wide zoning by-law amendments using form based controls in Midtown for the purpose of implementing the Secondary Plan, following direction from PHC in 2021 to do so (following engagement), with no maximum FSI. See attachment 2 of the November 2021 report. In addition, the zoning that I assisted in putting in place through Eglinton Connects many years ago, also regulates size by form (with no maximum FSI).

As we see in the Bayview Focus Area, this is resulting in development approvals which lack reasonable transitioning to surrounding development and lack provisions to ensure that the resulting intensification creates a complete community.

We recommend that:

- **the City reconsider the conflicting policies in the version of OPA 405 approved by the Province to address appropriate transitioning to surrounding development and to ensure that the resulting transitioning creates a complete community .**

Yours truly,

Geoff Kettel
Co-Chair, FoNTRA

Cathie Macdonald
Co-Chair, FoNTRA

Cc: Kerri Voumvakis, Interim Chief Planner and Executive Director, City Planning Division
Matt Armstrong, Senior Planner, Strategic Initiatives, Policy & Analysis, City Planning Division
David Sit, Director, Community Planning, North District
Oren Tamir, Director, Community Planning, North Toronto and East York District

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 250,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.