



Confederation of Resident & Ratepayer
Associations in Toronto

203A/881A Jane Street
Toronto, Ontario. M6N 4C4
20 September, 2024

To: phc@toronto.ca

To: The Chair and Members
Planning and Housing Committee

Re: Amendments to Official Plan being OPA 528 – PH 15.1 – September 26, 2024

On behalf of the Confederation of Resident & Ratepayer Associations in Toronto (CORRA), the following comments are being raised in regard to OPA 528.

CORRA opposes the proposed amendments as presently drafted to the Official Plan.

A REVIEW OF THE PRIOR HISTORY SHOWS THE RISKS TO A UNIQUE AND LIMITED AMENITIES – THE OPA ENCOURAGES THE EXTRADITION OF THESE AREAS

I note CORRA was formed in part over the struggles in the late 60's to ensure that a key public amenity, being parks not be eviscerated.

Prior Attempt By the City

When the 2002 Official Plan came forward, it dropped the wording prohibiting the sale of parks and natural areas which meant such lands would be up for grabs. CORRA along with two other coalitions of ratepayers raised the point and the comments of the press resulted in the present wording which discourages the sale or disposal of *Green Space System* (natural areas) and *Parks and Open Space Areas*.

Lessons from the Exhibition District

Regrettably we missed the amendments that removed the policies in the prior City of Toronto Official Plan that ensured the Exhibition District would be primarily a public asset for recreation. Note the policy from the pre-harmonized O. P. Is attached hereto. Policy 14.13 clearly states the Exhibition District is a public asset to be used for public purposes and non-recreational uses should only be allowed if they contribute significantly and without adverse effect to the objectives set out in 14.13.

Since 2000 the public use of the CNE has been whittled down and it is CORRA's understanding the whittling continues. If similar care is extended to the green space system, parks and open space areas, these in turn will be extricated from the City's landscape.

Many Parts of the City are Parks Deficient

Many parts of Toronto, are parks deficient such as South Parkdale, Mimico, Junction Triangle, Central Area and many other areas as shown on the map identifying availability of parks and open spaces to population level. With the "densification" being encouraged more areas will become parks and open space deficient.

Making life easier for the loss of such areas should not be encouraged.

OPAs do not have an higher approval requirement than approving a zoning amendment. If a zoning amendment is needed than having a site or area specific OPA should not result in a significant hurdle or delay especially when we consider the impact on the availability of parks, open spaces and the green system. There is one significant difference. The 20 day notice period for the specific wording of an OPA versus the minimal notice period for the specific wording of an amendment for a zoning by-law.

Is the object to cut the public out of the process?

In addition an OPA can include conditions requiring land be returned if it is not required or declared surplus at a later date.

Councillor Nunziata should well remember what happened in the former City of York when certain parklands were to be sold which resulted in her becoming the Mayor of that City.

In Swansea there were two attempts to transfer open space to private persons when a two-thirds vote was required, both were refused. With these amendments there is a risk this will occur again and again with no public scrutiny.

Specific Concerns With the Wording

The wording of the new policy 4.3.9 has a typo which is highlighted. This raises questions about the rest of the policy is such a simple matter can be missed.

In addition "**to a public agency**" would appear to cover a multitude of sins.

The wording of an earlier draft (which is attached) was much tighter by specifying the tests to perhaps not need an OPA but not exclude the requirement.

What happens if the Public Agency declares the lands surplus to their needs?

Do the lands revert back to the City or can they be sold to a private developer?

CORRA should not be read as agreeing that the prior draft wording as fully acceptable. The wording "without an OPA" is problematic.

To summarize, CORRA RECOMMENDS:

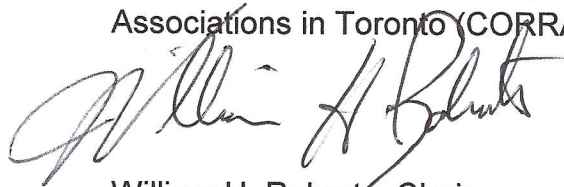
1. **OPA 528 BE REVIEWED AND SENT BACK FOR FURTHER REFINEMENT.**
2. **THAT IF OPA 528 IS ADOPTED THAT AT A MINIMUM IT SHOULD BE AMENDED TO HAVE WORDING SIMILAR TO THE EARLIER DRAFT WHICH HAS A MUCH HIGHER HURDLE SUCH AS A PRIOR ENVIRONMENTAL ASSESSMENT.**
3. **THAT IF OPA 528 IS ADOPTED THAT IT BE AMENDED TO DEAL WITH WHAT HAPPENS SHOULD THE PUBLIC AGENCY CEASE TO NEED THE LANDS.**

Please note either I or another member of the CORRA Executive would like to depute to the matter either in person or virtually.

Attachments:

1. Highlighted OPA 528
2. Prior Public Draft Wording
3. Policy 14.13 of Prior City of Toronto O.P.
Exhibition District

Submitted on behalf of the
Confederation of Resident and Ratepayer
Associations in Toronto (CORRA)



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Attachment 1: Recommended Official Plan Amendment

AMENDMENT 528 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 2, Shaping the City, Section 2.3.2 Toronto's Green Space System and Waterfront, is amended by inserting into Policy 2.3.2.4 the words "except where such sale or disposal is in accordance with Policy 4.3.9 of this Plan" after the words "sold or disposed of" such that Policy 2.3.2.4 reads as follows:

"4. The sale or disposal of publicly owned lands in the *Green Space System* will be discouraged. No City owned land in the *Green Space System* will be sold or disposed of except where such sale or disposal is in accordance with Policy 4.3.9 of this Plan. However, City owned land in the *Green Space System* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility."

2. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by inserting into Policy 4.3.8 the words "unless such sale or disposal satisfies the criteria set out in Policy 4.3.9 of this Plan" after the words "sold or disposed of" such that Policy 4.3.8 reads as follows:

"8. The sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City owned lands in *Parks and Open Space Areas* will be sold or disposed of, unless such sale or disposal satisfies the criteria set out in Policy 4.3.9 of this Plan. However, City owned lands in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility."

3. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by adding a new Policy 4.3.9 after Policy 4.3.8 as follows:

"9. The sale of disposal of City owned lands in *Parks and Open Space Areas* may occur where the lands will be restored and enhanced, all existing development criteria of this Plan are satisfied, including those in Policy 4.3.6 and the appropriate assessment referenced in Policy 4.3.2, and the sale or disposal:

- a) is to a public agency for the purpose of undertaking a conservation project; or
- b) is an easement necessary to allow for essential underground public works and utilities, including alternative energy systems, together with associated access and control points, where there is no reasonable alternative and there is no associated restriction to public access except during construction and maintenance."

4. Chapter 4, Land Use Designations, Section 4.3 Parks and Open Space Areas, is amended by adding new unshaded sidebar text in the proximity of new Policy 4.3.9 as follows:

“For greater clarity, “sold or disposed of” means sold or otherwise disposed of by way of a grant in fee simple or a grant of a leasehold or easement interest where the unexpired term of such interest, including any rights of renewal or extension, exceeds 21 years, and “sale or disposal” shall have a corresponding meaning.

When public works that are not subject to the Environmental Assessment Act are planned to traverse, coincide with, or otherwise affect the Natural Heritage System, a Natural Heritage Impact Study may be required to be submitted by the applicant and approved by the City and the appropriate conservation authority.”

Draft New OP Policy 4.3.9 (OPA 528)

The sale or disposal of lands to facilitate the development of **conservation projects** and **essential public works and utilities** may occur without an OPA where it is demonstrated that:

- a) It is necessary to implement an approved Environmental Assessment which has examined all reasonable alternatives; or
- b) the following criteria being satisfied:
 - i. there is no reasonable alternative;
 - ii. an appropriate assessment of potential impacts has been provided;
 - iii. adverse impacts are minimized;
 - iv. the integrity of the lands are sustained, restored and enhanced to the fullest extent feasible; and
- c) The project will also have to satisfy existing OP development criteria specific to where the project is occurring, i.e., along waters edge; within Parks and Open Space Areas

- (a) the owner of the vessel requests the Ship Safety Branch of the Canadian Coast Guard to inspect it yearly and that the use may only continue if a report from the Branch shows that the boat continues to meet reasonable safety criteria for the use;
- (b) the use is compatible with adjacent and neighbouring uses;
- (c) adequate parking facilities are provided;
- (d) adequate pedestrian access and views are provided; and
- (e) water quality is maintained and surface debris is removed in the vicinity of the vessel.

POLICIES FOR WATERFRONT DISTRICTS

Exhibition District

14.13 CHARACTERISTICS OF THE EXHIBITION DISTRICT TO BE SUPPORTED

The *Exhibition District* shall remain a major recreation area which features sporting, amusement, trade shows, entertainment and exposition activities and events, historic sites, and other public recreation uses. It is the policy of Council to support Metropolitan Toronto and Provincial initiatives which will:

- (a) increase the daily use of the *Exhibition District* throughout the year for a variety of local and regional, cultural and recreational needs;
- (b) improve connections to the *water's edge lands* and between parts of the *Exhibition District* by:
 - i) upgrading pedestrian, bicycle and automobile routes; and
 - ii) bridging over Lake Shore Boulevard;
- (c) improve public transit access to the *Exhibition District*, and in particular to its main attractions;
- (d) improve the physical attractiveness of the *Exhibition District* through such means as the location and design of buildings, activities and facilities, the reduction of land devoted to parking, the expansion and unification of park areas, and a comprehensive landscaping scheme;
- (e) intensify the frequency of use of land and buildings within *Exhibition District*; and
- (f) preserve and enhance historical buildings, structures, places and monuments, and improve their surroundings and accessibility.

14.14 POSSIBLE INTRODUCTION OF NON-RECREATIONAL USES IN THE EXHIBITION DISTRICT

The introduction of non-recreational uses not now found in the *Exhibition District* may be considered by Council if they contribute significantly and without adverse effect to the realization of the objectives set out in Section 14.13.