

Updating Policies for Conservation and Infrastructure Projects in Parks and Open Space Areas:

Draft Official Plan Amendment 528

March 7, 2024



Land Acknowledgement

The City of Toronto acknowledges that we are on the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. The City also acknowledges that Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit, and the Williams Treaty signed with multiple Mississaugas and Chippewa bands.



Meeting Outline

1. Introductions
2. Overview
3. What We Heard
4. Proposed Changes
5. Discussion
6. Next Steps

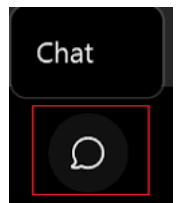
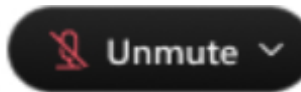
Webex Meeting Instructions

- Please stay **muted** when you are not talking
- If you have a question or comment, please **use the raise hand function** or type your question in the chat box
- The team will be in the background answering chat questions
- There will be dedicated points throughout the presentation for discussion
- Please introduce yourself first

To mute or unmute yourself, click **Mute**



or **Unmute**



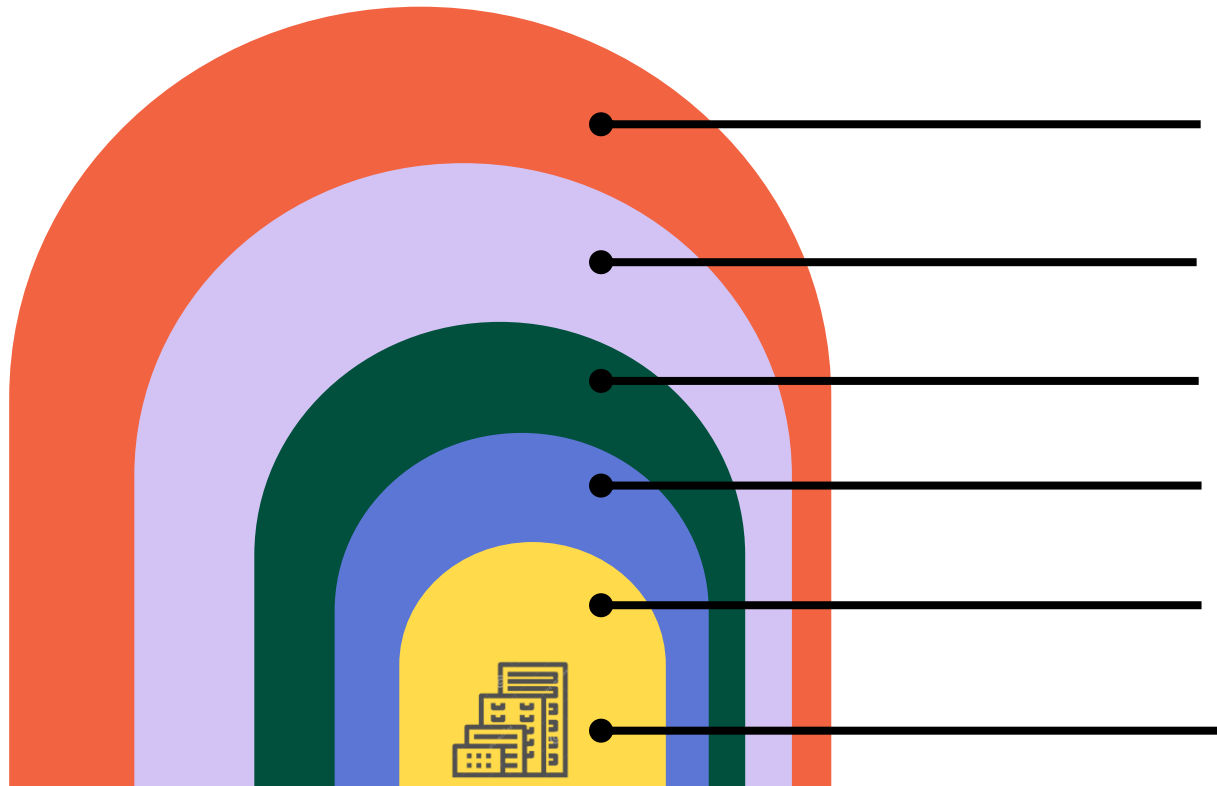
Code of Conduct

- We welcome your questions and discussion – there are **no bad questions**
- We want to **hear from everyone** – everyone has wisdom and experience to share
- **Be respectful and listen** – everyone deserves to be heard – there will be differences in opinions
- We need **everyone's wisdom for the wisest result**
- The **City is here to listen** – you are welcome to reach out after the meeting

The Planning Context



Land Use Planning System



Matters of provincial interest – Planning Act, Provincial Policy Statement

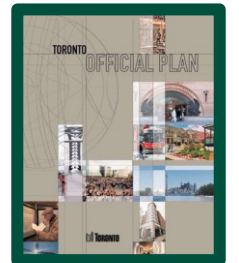
Regional growth – Growth Plan for the Greater Golden Horseshoe Area, Greenbelt Plan

City wide vision – [Toronto Official Plan](#)

Area priorities – Secondary Plans, Local Area Studies, Precinct plans

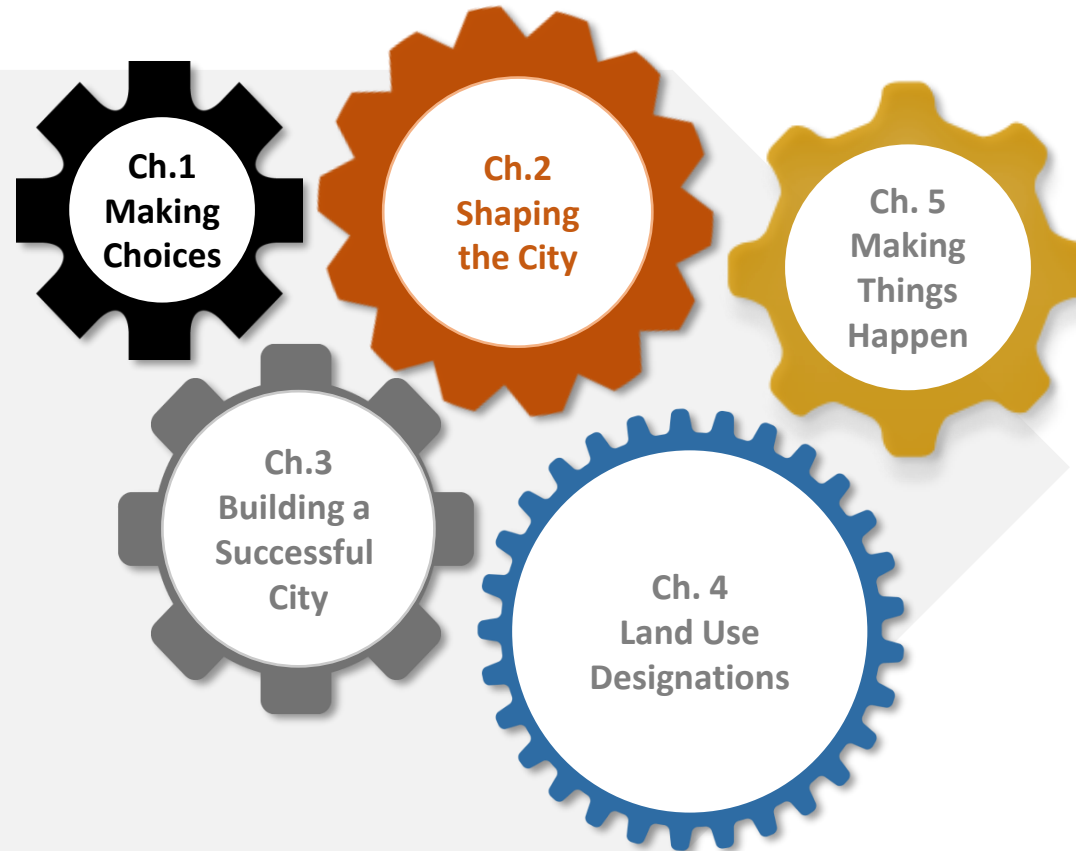
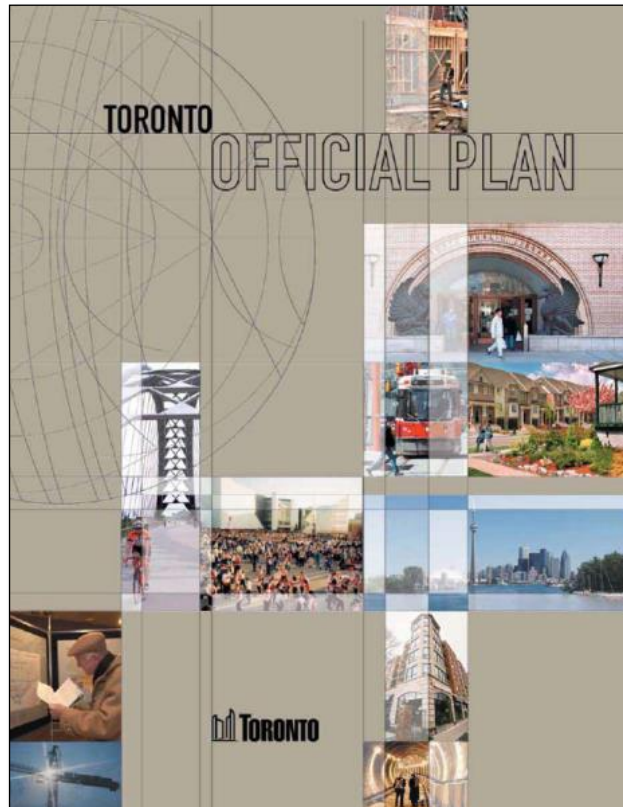
Area specific implementation – Zoning By-law

Site specific precision – Zoning By-law standards

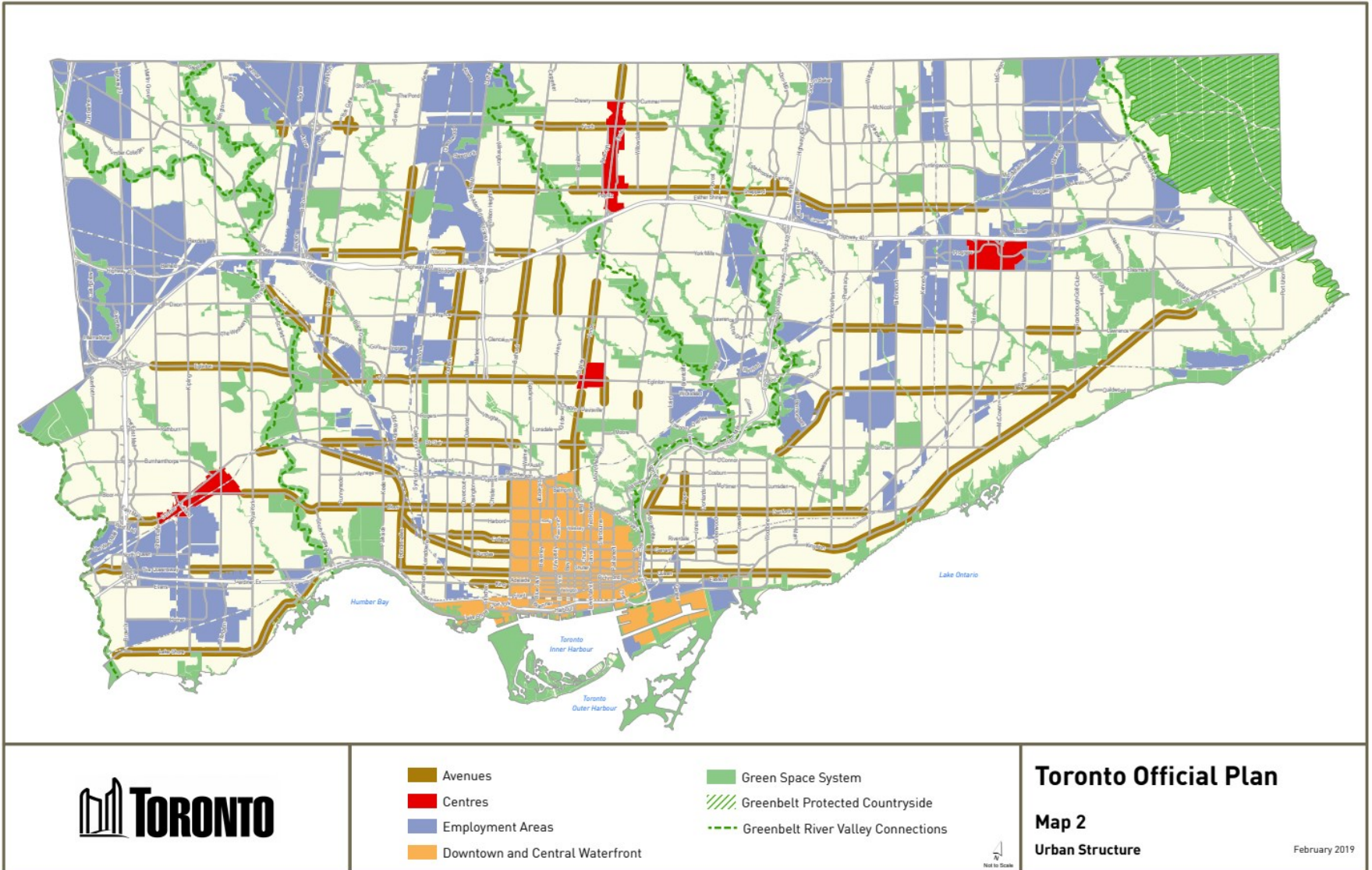


Toronto's Official Plan

- Policies – Official Plan contains 5 Chapters



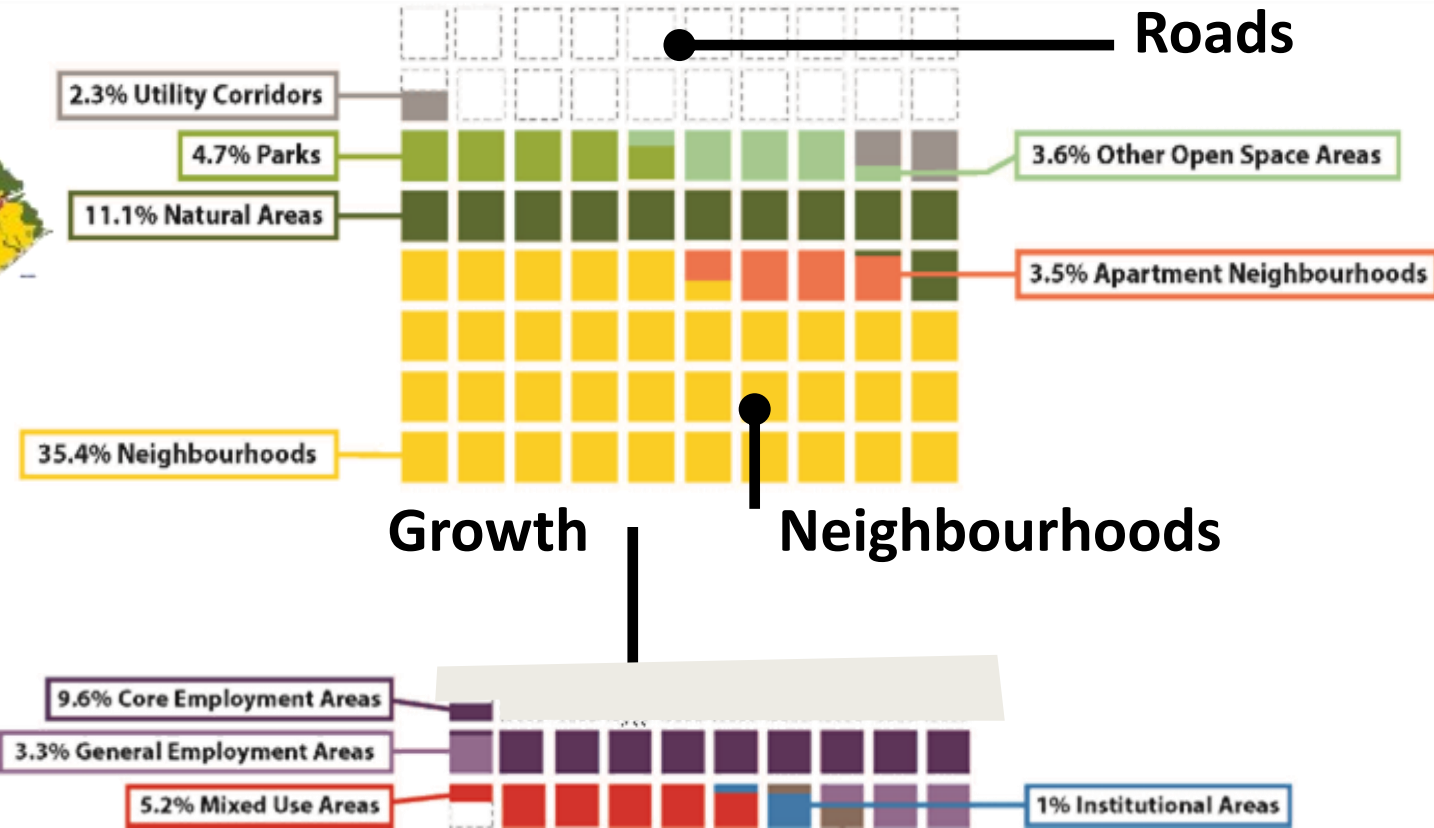
Urban Structure Map



Official Plan – Land Use Breakdown

City of Toronto

City of 100 Blocks



Overview



Official Plan – Current Policy

The Official Plan regulates uses in the Green Space System, which is made up of Natural Areas and Parks and Open Space Areas. Such uses allow, for example:

Natural Areas

(Policy 4.3.3)

- conservation projects
- public transit
- public works & utilities for which no reasonable alternatives are available

Parks and Open Space

Areas (Policy 4.3.2)

- recreational and cultural facilities
- conservation projects
- cemetery facilities
- public transit
- essential public works and utilities



Official Plan – Current Policy

The Official Plan **prohibits the sale or disposal** of **City owned** Parks and Open Space Areas and Green Space Systems **for infrastructure, including utilities, public works, and conservation projects** (Policy 4.3.8, Policy 2.3.2.4).

Sale or disposal means to sell or otherwise transfer rights over City owned land, including a disposal by way of a lease or easement that exceeds 21 years.

Examples of when an OPA is required

Corktown Common

- Transfer of ownership to the TRCA to facilitate the operation of the Flood Protection Landform (berm)



Rouge National Urban Park

- Transfer of ownership to Parks Canada to operate and maintain Rouge National Urban Park



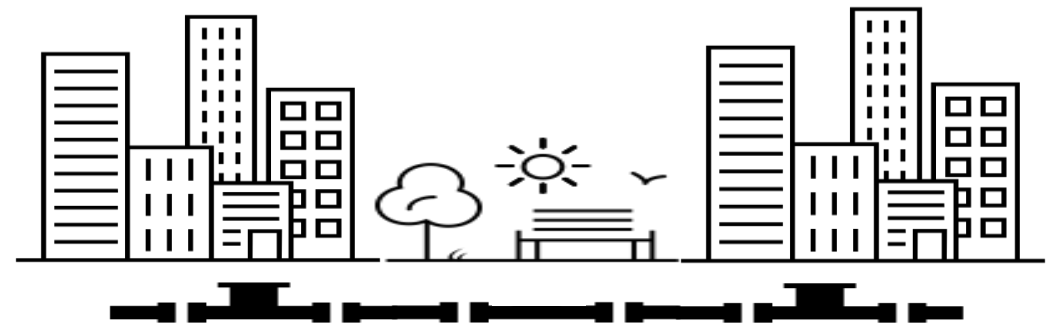
High Level Pumping Station Park

- Permanent easement to Toronto Hydro
- For tunnel to nearby Toronto Hydro facility
- Easement is all below grade



The issue

- More infrastructure projects in Parks and Open Space Areas
- Each infrastructure project requires an Official Plan Amendment (OPA), regardless of project size, complexity or impact



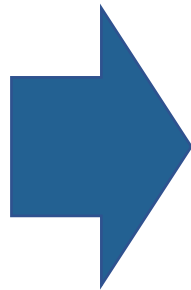
Previous Draft Changes



Previous Draft of New Policy

(From November 1, 2023, Public Meeting)

Update Green Space System policy and policy Parks and Open Spaces to not require an Official Plan Amendment **when new Policy 4.3.9** is satisfied.



Draft Policy 4.3.9

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

What We Heard



Engagement

Stakeholder Meetings

- October 17, 2023
- October 18, 2023

Public Meeting (Draft Amendment)

- November 1, 2023 (afternoon and evening sessions)

Indigenous Engagement

- November 29, 2023 – Mississaugas of the Credit First Nation
- January 11, 2024 – Six Nations of the Grand River

Councillor Engagement

- 3 meetings with Councillor Saxe

What we heard

Theme	Examples of Topics Raised
Draft policy changes	<p>Existing Official Plan policies that protect function and use of Parks, Green Spaces, and Open Spaces should continue to apply.</p> <p>Ensure the policies retain benefits to the communities when lasting changes take place in parks, natural areas, and open spaces.</p>
Concern for greenspace	<p>Ensure natural environment and urban forests are not compromised. Avoid restricting access and usability of parks.</p> <p>Protect environmentally sensitive areas.</p> <p>Ensuring the function and use of the parks, green space, and open spaces are maintained and not converted to infrastructure use</p>
Proposed Criteria	<p>Understanding how the approval criteria will work.</p> <p>Scope policy to only include conservation projects and easements to utility companies.</p> <p>Understanding how the potential risks of the project were identified.</p> <p>Concern with relying on Environmental Assessments.</p>



New Draft Changes



Updated Draft Official Plan Policy

- Lands must be restored and enhanced in every scenario
- All existing OP policies continue to apply
- Scoped to only apply to
 - conservation projects
 - easements for underground utility projects
- No restriction to public access to parks, except for construction and maintenance
- Removed previously proposed Environmental Assessment criteria as a rationale
- Green Space System policy and Parks and Open Spaces policy updates stay the same as proposed on November 1, 2024, Public Meeting

***Updated* Draft Policy 4.3.9**

The sale or disposal of City-owned lands in *Parks and Open Space Areas*, within the *Green Space System* or the *Natural Heritage System*, 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 and associated access points and control panels, where there is no reasonable alternative and there is no restriction to public access to parkland except during construction and maintenance.

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Q&A

 TORONTO



Next Steps



Next Steps

Q2 2024

Planning and Housing Committee, May 9, 2024

- Recommendation Report to approve OPA 528
- Seek direction on whether transit projects should have a similar OPA exemption



Thank you

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1

An infrastructure provider (e.g. Toronto Hydro, Enbridge) needs to place a utility in or through (e.g. underneath) parkland. The City’s Official Plan allows public works in parkland.



2

The parkland must be:

Declared Surplus
(may involve City Council)



Sold or disposed to the provider



The City’s Official Plan, however, does not allow parkland to be sold or disposed. Therefore, the infrastructure provider needs to:

3a

Apply to the City to amend the Official Plan to allow the sale or disposal.



OR

3b

Provide the City a piece of parkland that is equal to or better than what they’re receiving.



OPA 528 seeks to allow the City to sell or dispose of parkland long-term to infrastructure providers without the amendment described in Box 3a, only if the infrastructure provider can demonstrate they’ve done appropriate assessments.

The infrastructure provider will still be able to exchange a piece of parkland (Box 3b) if they do not wish to apply to amend the Official Plan or prove they’ve performed the appropriate assessments under the new criteria.