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City of Toronto Plans for Growth Around Transit: Update on Delineation of Protected Major Transit Station Areas in Downtown Toronto

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February 9, 2022

Earlier this month the City of Toronto (City) adopted [Official Plan Amendment No. 524 \(OPA 524\)](#) delineating 16 Protected Major Transit Station Areas (PMTSAs) within Toronto's downtown. This comment updates [our previous comment](#) on the City's draft delineations of PMTSAs.

Background – What Are PMTSAs?

PMTSAs are a tool provided to municipalities under the *Planning Act* to identify and plan for increased growth in areas surrounding existing or planned higher order transit stations or stops, including subway, LRT, and GO train stations.

When establishing one or more PMTSAs a municipality, such as the City of Toronto, must also adopt policies that:

- (a) identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the PMTSA;
- (b) identify the authorized uses of land, buildings, or structures in the PMTSA; and
- (c) identify the minimum densities that are authorized within the area.

PMTSAs are a subset of the Major Transit Station Areas (MTSAs) that are defined within *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (the Growth Plan). MTSAs, as defined in the *Growth Plan*, are the areas generally within a 500 to 800 metre radius of an existing or planned higher order transit station or stop.

Where a PMTSA is identified, inclusionary zoning policies may be implemented by a municipality. As outlined in [our previous comment](#), the City adopted OPA 557 and zoning by-law amendment no. 941-2021 (ZBA 941-2021), to impose inclusionary zoning within its PMTSA's. The adoption of OPA 524 represents the next step to implementing inclusionary zoning.

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OPA 524 in Summary

OPA 524 adds a new chapter to the City Official Plan to implement a framework to facilitate transit-supportive development through the delineation of MTSAs and PMTSAs. New Site and Area Specific Policies (SASPs) will also be adopted for each MTSA and PMTSA identified.

OPA 524 identifies the following population and employment *minimum* density targets for each Downtown PMTSA. All of these Downtown PMTSAs are in respect to existing TTC subway stations. No changes to the maximum development permissions are proposed by OPA 524:

Spadina Station (SASP 597)	300 residents and jobs per hectare
St. George Station (SASP 598)	400 residents and jobs per hectare
Bay Station (SASP 599)	900 residents and jobs per hectare
Bloor-Yonge Station (SASP 600)	900 residents and jobs per hectare
Sherbourne Station (SASP 601)	500 residents and jobs per hectare
Wellesley Station (SASP 602)	1,000 residents and jobs per hectare
College Station (SASP 603)	1,200 residents and jobs per hectare
Dundas Station (SASP 604)	1,900 residents and jobs per hectare
Queen Station (SASP 605)	2,000 residents and jobs per hectare
King Station (SASP 606)	2,000 residents and jobs per hectare
Union Station (SASP 607)	1,700 residents and jobs per hectare
St. Andrew Station (SASP 608)	1,700 residents and jobs per hectare
Osgoode Station (SASP 609)	1,700 residents and jobs per hectare
St. Patrick Station (SASP 610)	1,500 residents and jobs per hectare
Queen's Park Station (SASP 611)	900 residents and jobs per hectare
Museum Station (SASP 612)	700 residents and jobs per hectare
Spadina Station (SASP 597)	300 residents and jobs per hectare
St. George Station (SASP 598)	400 residents and jobs per hectare

Staff have envisioned how these population and employment minimum density targets will be applied through a series of maps which identify the minimum floor space index (FSI) to be provided within a given block. Additionally, areas designated *Neighbourhoods* within the Downtown, are required to have a minimum FSI of 0.9 or an alternative minimum requirement of three new dwelling units. The alternative requirement has been imposed to avoid encouraging large single unit homes.

Limited exemptions to the application of a PMTSA have been provided for additions, conversions, extensions and renovations to existing buildings or new ancillary buildings within the City Official Plan.

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Ministerial Approval Required Prior to OPA 524 Coming into Effect

Approval by the Minister of Municipal Affairs and Housing is required for OPA 524 to come into effect within the City. The Minister is permitted to revise and amend the adopted version of OPA 524.

Council is required to review and potentially amend its zoning by-laws to conform with OPA 524 once it comes into effect.

Appeal and Amendment to Official Plan Policies Outlining PMTSAs

Once approved, protected major transit station area policies should generally be understood as final. There are no rights of appeal to an adopted and approved official plan amendment implementing protected major transit station area policies.

There is also no right to request an official plan amendment in respect of any protected major transit station area policies without a council resolution granting permission to do so.

How do PMTSAs Work With the City's Newly Adopted Inclusionary Zoning Policies?

OPA 557 and ZBA 941-2021 respecting inclusionary zoning provide transition for complete applications for a zoning by-law amendment and site plan approval, minor variance or building permit that were filed on or prior to the later of September 18, 2022, or notice of approval of a PMTSA by the Minister of Municipal Affairs and Housing. As the Minister may approve OPA 524 at any time, landowners intending to benefit from the inclusionary zoning transition provisions should target application submission prior to September 18, 2022.

How Does the Identification of PMTSAs Fit Within the City's Ongoing Municipal Comprehensive Review?

The City is permitted to delineate the boundaries and identify minimum density targets of a PMTSA ahead of completing its Municipal Comprehensive Review (MCR). The City has more than 180 potential MTSAAs that may be identified as part of the ongoing MCR, including additional PMTSAs.

The City is required to consider the results of its MCR and adopt any resulting official plan amendments and

Prior Adopted PTMSAs and Expected Additional PTMSAs

The City's first PMTSAs were adopted through OPA 482 regarding the Keele Finch Secondary Plan for the Finch West Transit Station Area and Sentinel Transit Station Area. OPA 482 has not received Ministerial Approval as of the date of this comment's publishing.

Additional PMTSAs which may soon be adopted by Council include:

- 23 potential PMTSAs along Bloor Street West, Bloor Street East and Danforth Avenue. This includes 20 Line 2 Subway Stations, and three GO Rail stations along Bloor-Danforth from Jane Street to Victoria Park Avenue. A Final Report to council is expected by the second quarter of 2022 recommending adoption of all or some of these potential PMTSAs.
- One potential PMTSA for the planned St. Clair-Old Weston Smart Track/GO Transit station located at 2-80 Union St. There is no public timing on when staff may bring forward a final recommendation on this matter.
- Seven potential PMTSAs for areas that City staff believe are not able to meet the growth plan density targets, including around the Old Mill, York Mills, York University and Pioneer Village TTC subway stations, the Rowntree Mills and Tobermory Finch LRT stations, and Long Branch GO Station. There is no public timing on when staff may bring forward a final recommendation on this matter.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.