



**Ontario**  
Home Builders'  
Association

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Bruce McCuaig  
President and CEO, Metrolinx  
97 Front Street West,  
Toronto, ON M5J 1E6S9

Mr. McCuaig,

**Re: The Next Regional Transportation Plan for the Greater Toronto and Hamilton Area**

The Ontario Home Builders' Association (OHBA) is the voice of the land development, new housing and professional renovation industries in Ontario. OHBA represents over 4,000 member companies, organized through a network of 30 local associations across the Province. OHBA appreciates the opportunity to comment on the review of the GTHA's first Regional Transportation Plan (RTP). The review of the RTP is a requirement of the *Metrolinx Act, 2006*, which states that the RTP must be reviewed at least every ten years. This review, which is happening just as the Ministry of Municipal Affairs is concluding their Coordinated Review of the Growth Plan and three other provincial plans, provides an opportunity to assess the existing plans and the ensure greater success through better integration of the plans in the future. From OHBA's perspective the Growth Plan and the RTP are inextricably linked and the focus of OHBA's submission to Metrolinx as it works towards the completion of an updated RTP in 2017, is the nexus between transportation planning and land use planning.

OHBA has and continues to strongly support provincial investments through Metrolinx to build and expand transit services across the GTHA and beyond. But building better transit is just the beginning. It is equally important to build stronger and more complete communities along these transit lines and around stations to maximize the utility of multi-billion-dollar transit investments. The update of the RTP in combination with the Coordinated Review offers an opportunity to better integrate transportation and land use planning to more fully realize the benefits of transit-oriented communities that are walkable and safe, support local businesses, generate ridership to pay for transit operations and provide more mobility choices and affordable housing options.

Together with Metrolinx, provincial ministries and municipalities; the land development and new housing sector have played a key role towards implementing a wide range of transportation improvements and the associated transit oriented development to support transit investments. These efforts are transforming communities across the GTHA and beyond. OHBA understands that a draft updated RTP is planned for public comment in mid-2017, with the final RTP to be completed later in the year. An Implementation Plan will follow, identifying detailed processes, the roles of various partners and stakeholders, and a range of investment strategy tools to put the RTP into action. OHBA reiterates that the review must ensure that the Growth Plan and the RTP are better integrated and work together to be successful. It is therefore critical that before the Growth Plan amendments are finalized by the Ministry of Municipal Affairs, that Metrolinx work with the Ministry to ensure the updated RTP reflects and has the capacity to ensure that the new density and intensification targets are appropriately accounted for.

## Key Issue: Integration of Growth Plan and Regional Transportation Plan

The Greater Golden Horseshoe is one of the fastest growing areas in North America. By 2041, an estimated 13.5 million people will call the region home, with the number of jobs forecast to rise from 4.5 million to 6.3 million. This will increase our population by 50 per cent and boost the number of jobs by 40 per cent. Much of this growth is focused within the Metrolinx service area in the GTHA as well as the Waterloo Region, Guelph and Niagara where Metrolinx has recently been expanding services. OHBA is supportive of the *Metrolinx Strategy #1* to build a comprehensive regional transportation network including introducing GO Regional Express Rail. OHBA is also supportive of *Metrolinx Strategy #3* to improve the efficiency of the road and highway network, as it is important to maintain choices for residents living and working in a range of communities across the region as well as a competitive environment for businesses relying on goods movement.

The two key components of the proposed amendments to the Growth Plan which will have significant impacts on the RTP are:

- The proposed amendment to increase the Designated Greenfield Area (DGA) density target to an average of 80 persons and jobs per hectare (PJH) (currently 50 PJH); and
- The proposed amendment to increase the intensification target to 60 per cent (currently 40 per cent).

These two proposed amendments represent a paradigm shift for land use planning and community development across the Greater Golden Horseshoe. OHBA's submission to the Ministry of Municipal Affairs as well as over 100 municipal submissions have noted concerns with these two proposed targets. Specifically the municipal submissions, supported by evidence and data from professional planning staff have noted that the 80 PJH target is not in fact an "80" PJH target, as the target is averaged across the entire DGA, including new communities built since 2006 at the current 50 PJH target and communities with planning approvals for lands in the DGA that have not yet been built. This will have the effect of requiring municipalities to "over-compensate" for densities in the DGA at densities much higher than 80 PJH. These higher densities will require significant transit investment to adequately support new communities built at much higher densities at the urban periphery.

As noted by the professional planning staff at the Region of Peel:

*"Changes to the Growth Plan propose to increase required DGA densities to 80 people and jobs per hectare. At this time, excluding potential employment lands, approximately 85 per cent of Peel's current DGA is estimated to be already built, or planned with approved secondary plans at densities of approximately 69 people and jobs per hectare. As a result, the proposed increases to DGA density would have to be realized utilizing the 15 per cent of lands that remain unplanned. This could result in densities of approximately 140 residents and jobs per hectare in these unplanned areas. These new communities at the outer edges of Peel would be some of the most dense in Peel and would lack significant infrastructure, including transit, to support these densities."*

OHBA and our municipal partners from across the Greater Golden Horseshoe have expressed concern with respect to the proposed density and intensification target numbers and "one size fits all" approach to the Ministry of Municipal Affairs. Furthermore a number of municipalities have expressed concern that DGAs where development will have to be planned at densities far exceeding 80 PJH do not have adequate transit to support these types of densities. The proposed significant changes to future community development will require careful analysis by Metrolinx to ensure that sufficient transit and transportation infrastructure is planned for and budgeted for in both the Urban Growth Centres and DGAs where growth is being allocated by the province at much higher densities than have been built in the past.

### **Key Issue: Pre-Zoning of Transit Corridors**

A major barrier to building transit-oriented development is outdated zoning. The majority of new transit routes that are being built in suburban municipalities and the inner suburbs are being constructed in communities that were historically planned to service automobiles, not transit. The built landscape may be intensifying, but it is predominantly low-density and spread out, with residential and commercial uses separated. This is the result of many municipal zoning-by-laws in the GTHA being out of date, and which don't reflect either the evolving nature of our communities or provincial goals for intensification. In some cases municipalities haven't updated their zoning by-laws for decades, despite Section 26 (9) of the *Planning Act* requiring comprehensive reviews three years after an Official Plan update. Building heights are often capped at three or four storeys, which is too low to support the type of transit-oriented development that is needed along transit corridors and surrounding transit stations.

This under-zoning creates a series of obstacles to building complete communities despite many of these neighbourhoods having excellent transit access that would be well suited for mid-rise development. Both medium- and high-density projects on a transit line must go through a lengthy, onerous and uncertain approvals process to secure a permit in the exact locations that the province and Metrolinx are encouraging density. In some cases, sites are intentionally left under-zoned, because it forces developers to seek case-by-case approvals through a political process that extracts "Section 37" financial concessions.

OHBA has consistently supported pre-zoning through joint reports with Pembina "Make Way for Mid-rise" and Ryerson CBI "Suburbs on Track" that municipalities should be required to pre-zone transit station areas and transit corridors for transit oriented development. OHBA notes that many existing and planned transit station areas are failing to achieve transit supportive densities – in fact many GO and TTC subway stations lack the density to even support frequent bus service. Despite the high costs to build, operate and maintain rapid transit, local governments have never been required to achieve minimum densities or land-use priorities along transit corridors or around stations, resulting in decades of low-density development around transit infrastructure and low ridership (e.g. the Spadina subway extension and the Sheppard subway).

OHBA therefore recommends that the province through Metrolinx implement a "transit quid-pro-quo" exchange to ensure that municipalities update their zoning to ensure that intensification occurs along transit infrastructure prior to receiving provincial funding for the construction of higher-order transit projects.

### **Key Issue: Major Transit Station Areas**

OHBA supports the proposed amendments to Growth Plan that would require official plans to delineate Major Transit Station Areas (MTSAs) and proposed density targets for these areas. These proposed changes are very important as they would establish minimum density targets for major transit station areas like subways or RER stations, that municipalities will be required to meet. Priority transit corridors, such as main streets with light rail or rapid bus transit would also require plans to support this new transit service. In the past, billion dollar transit projects were built without any land-use requirements, leading to low-density development and squandering the opportunity for thousands of jobs and homes close to transit.

Through the Growth Plan review, OHBA recommended to the Ministry of Municipal Affairs that Province implement policies requiring the delineation of MTSA's in Official Plans and that the policies be strengthened by specifically requiring municipal zoning by-laws within the delineated MTSA to be modernized to provide as-of-right densities designed to achieve the Growth Plan MTSA density targets with limited located flexibility. As part of the RTP review, OHBA recommends that Metrolinx work closely with municipalities to achieve transit supportive densities in MTSAs and Mobility Hubs. This should include an assessment of Metrolinx owned facilities including surface parking lots where land values could be captured and where Metrolinx could provide important opportunities to intensify and create transit oriented development opportunities on properties immediately adjacent to transit stations. Furthermore, in more urban settings such as the underground portion of the Eglinton Crosstown there exists opportunities to capture land values on publically owned assets for medium and high-density development directly on top of or through the integration of stations into new residential, mixed-use or commercial development. OHBA

strongly recommends Metrolinx undertake a more active role in promoting and securing transit oriented densities in MTSAs.

### **Key Issue: Transportation Planning Policy Statement**

OHBA recommends that the Minister of Transportation proceed with the development of a Transportation Planning Policy Statement (TPPS). This is a power created in 2008 under the provisions of the *Metrolinx Act*, but never utilized. A TPPS could be implemented to encourage greater integration and alignment of land use policies with the RTP and investments in transit and transportation infrastructure. Section 31.1 of the *Metrolinx Act* states that the Minister may issue a policy statement on matters related to transportation planning in the region. A policy statement could support increased integration between land use, growth and transportation policies by:

- Ensuring municipal planning decisions are consistent with the RTP;
- Requiring that municipalities and Metrolinx work together in the development of transportation master plans for municipalities, communities and major developments;
- Planning for the integration of the planning for population and employment growth as well as urban design standards that are transit supportive;
- Providing for effective planning for existing and future transit and transportation corridors;
- Developing a policy statement would involve comprehensive public, municipal and stakeholder engagement, and having such an instrument would have significant benefits in providing for stronger integrated planning.

The time has come to properly align municipal zoning with provincial policy on transit corridors and in transit nodes. There is a very real and immediate opportunity to align provincial policy through as-of-right zoning to direct growth and density to transit. With the Growth Plan currently under review, municipalities will soon be required to bring their Official Plans in conformity with the amended Growth Plan and if the *Planning Act* is properly enforced by the Provincial Government, Section 26 (9) requires municipalities to amend all zoning by-laws that are in effect in the municipality to ensure that they comply with the Official Plan within three years after the new plan comes into effect. This upcoming window in which municipal Official Plans and Zoning By-Laws will be required to be updated to conform with Provincial Policy provides a critical opportunity for the Minister of Transportation to introduce a TPPS. OHBA strongly recommends that the Minister of Transportation consult on a TPPS in the coming year as the RTP is updated to ensure land use and transportation policy is appropriately aligned and implemented.

### **Key Issue: Maintain strong OMB to ensure appropriate transit supportive intensification**

OHBA strongly supports the essential role of the OMB as an impartial, evidence-based, administrative tribunal that is responsible for handling appeals of land use planning disputes. In this administrative authority, the OMB serves to ensure that provincial land use policies and objectives are achieved and that municipalities employ consistency in the application and implementation of the *Planning Act*, the *Provincial Policy Statement* and the Growth Plan.

It is important to note that the decisions made by the OMB are based on planning evidence, provided by expert witnesses under oath, which ensures that long-term public policy objectives, rather than short-term local political calculations, are upheld. Without an independent tribunal that specializes in planning law, such as the OMB, it would be more difficult to achieve Provincial policy goals including transit supportive intensification. Without an administrative body for third party review, land use related disputes could end up in the court system. We believe that the court system would not have the same level of planning expertise, which could lead to inconsistent and unpredictable results that are not in the best interest of the public, while increasing the costs of public participation. Furthermore, the existence of an informed tribunal to adjudicate planning appeals has a positive role in focusing the work of professional public sector practitioners to work within the planning regime with integrity.

The OMB provides considerable value to the public good because decisions made by the OMB are an important counterbalance to the local political pressures of municipal councils. The local interest is not always the public interest. OHBA is concerned that if the scope and effectiveness of the OMB is weakened through the current review

that municipal councils will be provided more latitude to make planning decisions based on local politics (NIMBYism) rather than public policy or good planning. Such an outcome of the review by the Ministry of Municipal Affairs and the Attorney General could significantly compromise the implementation of the Growth Plan (especially with higher levels of intensification opposed by many municipal councils and ratepayers groups) and the implementation of provincial policies supporting transit oriented densities on transit corridors and major transit station areas. The OMB has an important role to ensure provincial policies for land-use planning in Metrolinx transit corridors is achievable.

### **Key Issue: Increase investment in transit**

OHBA supports co-ordinated infrastructure investment towards strategic projects based on clearly defined priorities. These targeted investments should support provincial objectives such as intensification, climate change mitigation/adaptation and the efficient movement of goods and people. OHBA is encouraged by the significant \$31.5 billion in dedicated transportation-related infrastructure that the provincial government has committed to over the next decade in two separate funds (GTAH & outside the GTAH). The cost of these infrastructure investments, as outlined in the provincial budget, was equitably allocated from the general tax-base and through a targeted repurposing of the existing gas tax, as was recommended by OHBA. OHBA further notes that while we support the investments made to enhance regional transit in the Metrolinx service area, that the next phase of the RTP will require significant additional long-term investments from the provincial government.

OHBA notes that the need for new transit and transportation infrastructure is more than a reflection of demographic growth with the corresponding requirements for new housing and employment, but it is a response to the existing transportation requirements of the current residents and employers. The new housing and development industry will continue to contribute its fair share of resources to support the necessary expansion and improvement of transportation infrastructure (recent amendments to the *Development Charges Act* through Bill 73 have increased the share of financial resources our industry through new home buyers and new employers contribute to transit), but should not be subject to pay an unequitable and disproportionate share of funding.

### **Key Issue: Active Transportation**

OHBA is supportive of better integrating newly emerging transit-oriented communities with improved cycling infrastructure and local transit services that will address the “last mile” dilemma for suburban commuters as feeder networks into the GO RER system, much the way many surface TTC routes connect into the subway network. OHBA is supportive of the *Metrolinx Strategy #2* to enhance and expand the active transportation network. The modal share of active transportation users is expanding and as densities increase and more complete communities are built across the region, commuters require more transportation choices that offer a safe and secure route through urban and suburban communities.

Lastly, OHBA notes the accelerating use of flexible and on-demand taxi and shuttle services, like Uber and Lyft, means the demand for pick-up and drop-off access is becoming an alternative for some customers to driving. In the longer term, the advent of shared autonomous vehicles could make some large and expensive parking lots at transit stations obsolete.

### **Conclusion**

Thank you for the opportunity to submit this preliminary set of comments to the review of the Regional Transportation Plan. OHBA looks forward to additional consultation and dialogue throughout the Metrolinx review process in 2017.