

Planning and Growth Management Committee

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| Meeting No. | 5 | Contact | Merle MacDonald, Committee Administrator |
| Meeting Date | Thursday, May 31, 2007 | Phone | 416-392-7340 |
| Start Time | 9:30 AM | E-mail | mmacдона@toronto.ca |
| Location | Committee Room 1, City Hall | | |

| Planning and Growth Management Committee | | |
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| Councillor Brian Ashton (Chair) Councillor Peter Milczyn (Vice-Chair) | Councillor Frank Di Giorgio Councillor John Filion | Councillor Karen Stintz Councillor Adam Vaughan |

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Declarations of Interest under the Municipal Conflict of Interest Act

Confirmation of Minutes - May 3, 2007

Speakers/Presentations – A Complete list will be distributed at the meeting

Communications/Reports

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| PG5.1 | ACTION | | Transactional | Ward: All |
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Guidelines for Identifying and Processing Planning Matters of City-wide Interest and Cross-Boundary Issues

(May 11, 2007) report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. City Council adopt the attached guidelines which set out a process for dealing with City-wide planning matters.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Summary

The attached guidelines describe the type of planning matters that are of City-wide interest and establishes a process to route these planning matters through Planning and Growth Management Committee to City Council. The guidelines are rooted in the principle that a planning matter will be considered to be of local interest and will be processed through Community Councils unless identified by the Chief Planner based on these guidelines, as being of City-wide interest.

In general, the majority of development applications will be of local interest and will be processed through Community Councils to City Council for a decision.

Background Information

staff report - guidelines for identifying and processing planning matters
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3912.pdf>

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| PG5.2 | ACTION | | Policy | Ward: All |
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Request for Direction - Amendment to the Official Plan Regarding Complete Applications

(May 10, 2007) report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. Notice for the public meeting under the Planning Act be given in accordance with the regulations under the Planning Act.
2. Staff schedule a community consultation meeting with interested representatives from the Development Community and Ratepayers to obtain their comments.
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The recommendations in this report have no financial impact.

Summary

New provisions of the Planning Act came into effect on January 1, 2007. In order to implement the new authority found in the Act to allow Council to set requirements for ‘complete applications’ an amendment to the Official Plan is required. This report seeks Planning and Growth Management Committee’s direction to give notice on a proposed amendment to the Official Plan to address the minimum complete application requirements for development applications.

Background Information

staff report - request for direction - amendment to the official plan
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3913.pdf>

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| PG5.3 | Information | | Transactional | Ward: All |
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Proposed Section 37 Implementation Guidelines: Status of Additional Requested Reports

(May 10, 2007) report from Chief Planner and Executive Director, City Planning

Summary

At the March 29, 2007 meeting of Planning and Growth Management Committee, Committee recommended adoption of the Proposed Section 37 Implementation Guidelines with a minor amendment. In addition, City Planning staff were requested to forward further reports, one with a specific timing of “in two months’ time”, meaning the May 31, 2007 Committee meeting. However, at the City Council meeting of April 23 and 24, 2007 consideration of the Guidelines was deferred to the May 23 and 24, 2007 Council meeting, and staff was further requested to consult with interested members of Council.

In light of the Council action, staff will be consulting with interested Council members and reporting to the May 23 and 24, 2007 Council meeting. Some of the issues raised by Council members in the consultations may overlap with the reports requested by Committee. As a result, the reports requested by Committee are being forwarded to the June 28, 2007 Committee meeting.

Financial Impact

This report will have no financial impact.

Background Information

staff report - proposed section 37 implementation guidelines
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3914.pdf>

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| PG5.4 | Information | | Transactional | Ward: All |
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An Examination of Waterfront Free Fare Transit Options

(May 3, 2007) report from Chief Planner and Executive Director, City Planning

Summary

To respond to a request received from Planning and Growth Management Committee at its meeting of February 15, 2007 when considering Item 3a “Toronto Transit Commission’s Waterfront West Streetcars Environmental Assessment – Terms of Reference”, to report on a free originating zone fare system in the waterfront area as a marketing strategy.

Based on research and discussions with TTC staff, this report documents a range of operating proposals, and identifies a free fare system for all eastbound transit service operating on Queen’s Quay West between Bathurst Street and Union Station as an option that is likely to achieve the best “cost vs. new ridership” balance, and is the most practical from an operating perspective. Potential funding sources have also been reviewed, however, at this time no source has been identified to offset the expected fare revenue losses and operating costs associated with this proposal.

TTC staff have been consulted in the preparation of this report. Financial Impact There are no financial implications.

Background Information

staff report - an examination of waterfront free fare transit options
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3915.pdf>

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| PG5.5 | ACTION | | Transactional | Ward: All |
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Official Plan Urban Design Policy Settlement

Confidential - Attachment 1 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

(May 10, 2007) report from Chief Planner and Executive Director, City Planning and City Solicitor

Recommendations

The City Planning Division and City Solicitor recommend that:

1. City Council adopt the recommendations set out in Attachment 1.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, subsequent to the Ontario Municipal Board issuing its Order on this matter and in the absence of any appeals or review of the Board's Decision/Order.

Financial Impact

The adoption of this report will eliminate the need for a hearing of the appeal.

Summary

The Urban Development Institute (UDI) and the Greater Toronto Home Builders' Association (GTHBA) appealed the entire new Official Plan. Following a series of Ontario Municipal Board Pre-hearings and Settlements authorized by Council, the only remaining policy under appeal by the UDI and GTHBA is Policy 5 in Section 3.1.2 of the Plan. This report recommends a modification to Section 5.1.2 Policy 5(g) in order to settle this last outstanding matter in the UDI and GTHBA appeal of the Plan.

Background Information

staff report - official plan urban design policy settlement
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3916.pdf>

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| PG5.6 | ACTION | | Policy | Ward: All |
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A New Class Environmental Assessment Process for Transit Projects

(May 7, 2007) report from Chief Planner and Executive Director, City Planning and General Manager, Transportation Services

Recommendations

The City Planning Division and Transportation Services Division recommend that:

1. City Council endorse the attached draft document, “New Part D – Transit Projects”, to be added to the Municipal Class Environmental Assessment (EA) document, which will establish a class EA process for municipal transit projects.
2. The Ministry of the Environment be requested to complete and make available a “Code of Practice” regarding Part II Orders as soon as possible so that all municipalities have a clear understanding of the procedures for how that element of the EA Act and its regulations are implemented.

Financial Impact

The recommendations in this report have no financial impact.

Summary

This report provides an overview of the development of a new Municipal Transit chapter to be incorporated into the current Municipal Class EA document and recommends that City Council endorse the process documented in the draft chapter on Municipal Transit and the associated amendments to the Municipal Class EA document, which will result in a more streamlined EA process specifically for municipal transit projects.

Background Information

staff report - a new class environmental assessment process for transit projects

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3930.pdf>)

ttc letter dated april 19, 2007 - (attachment 1)

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3931.pdf>)

ttc report no. 19 dated april 18, 2007 - (attachment 2)

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3932.pdf>)

6a Transit Environmental Assessments

(May 10, 2007) letter from General Secretary, Toronto Transit Commission

Summary

Forwarding a report from Toronto Transit Commission requesting that Council approve a policy directing that all environmental assessments pertaining to components of the Toronto Transit City – Light Rail Plan are to investigate only light rail technology; and Council be informed of the TTC’s position.

Background Information

ttc letter - transit environmental assessments

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3933.pdf>)

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| PG5.7 | Information | | Policy | |
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**Making Building Plans Available To The Public Electronically
(Deferred from May 3, 2007 meeting in order that notice be given for
Committee questions and debate - PG 4.5)**

(April 19, 2007) report from Chief Building Official and Executive Director, Toronto Building

Summary

This report provides information on the steps that will be taken by Toronto Building to ensure that building plans, which are permitted to be disclosed in accordance with the Division's Routine Disclosure Policy and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), are available to authorized requesters electronically and via the Internet.

Effective June 1, 2007, Toronto Building will inform individuals authorized to access building plans in accordance with MFIPPA and the Division's Routine Disclosure Policy that they may request copies of such plans in an electronic format.

Toronto Building will report in the fall of 2007 on necessary amendments to Chapter 363, Part II of the Toronto Municipal Code, to require the electronic submission of all required information, including building plans, in connection with applications to the Division, such as building and demolition permits. This change will enable Toronto Building to move forward with initiatives to make building plans more readily available electronically and via the Internet.

Financial Impact

There is no financial impact resulting from the receipt of this report.

Background Information

staff report - making building plans available to the public electronically

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3872.pdf>)

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| PG5.8 | Information | | Policy | Ward: All |
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Building Code Enforcement Issues

(May 16, 2007) report from Chief Building Official and Executive Director, Toronto Building

Summary

This report discusses the tools that are available to Toronto Building to stop the construction of buildings that do not conform to plans approved through the Building Permit process. Section 8(13) of the Building Code Act prohibits the construction of buildings except in accordance with plans and specifications approved by the Chief Building Official. Despite this, sometimes the construction of buildings, for which a permit has been issued subject to a particular set of plans, is built with variations in the location and/or size of the building, or materials used in the construction of the building.

Improving the ability of Toronto Building Staff to stop work on construction projects that do not conform to approved plans will require a review of the existing inspections practices, manpower, fees for Building Permits, as well as a detailed review of the Building Code, and Building Code Act.

Financial Impact

The recommendations contained in this report have no financial impact beyond what has already been approved in the current year's budget.

Background Information

staff report - building code enforcement issues

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3918.pdf>)

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| PG5.9 | ACTION | | Policy | Ward: All |
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Adverse Effects Caused by the Issuance of Building Permits on Adjacent Buildings

(May 16, 2007) report from Chief Building Official and Executive Director, Toronto Building

Recommendations

The Chief Building Official and Executive Director, Toronto Building recommends:

1. Toronto Building, on behalf of the City of Toronto, propose an amendment to the Ontario Building Code regarding the issue of the separation of existing chimneys in relation to proposed adjacent residential buildings;
2. Council request the province to consider relevant technical requirements of other provincial and federal acts and regulations where building construction and/or maintenance is governed by those acts or regulations, and construction may impact, or be impacted by adjacent buildings and properties; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget

Summary

This report outlines the legislative context and actions that Toronto Building proposes to take with respect to the impacts of infill housing construction on existing adjacent residential buildings.

New construction, particularly infill housing projects, can occasionally place adjacent buildings into non-compliance with a number of health and safety requirements of the Ontario Building Code, and other federal and provincial regulations.

It has been deemed that the Ontario Building Code cannot, except where specifically mentioned, govern proposed construction based on the impacts that it may cause to an adjacent property. It is recommended that Toronto Building recommend changes to be made to the Ontario Building Code, as well as explore other alternatives to limit the impact that new construction may have on existing buildings.

Background Information

staff report - adverse effects caused by the issuance of building permits
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3919.pdf>

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| PG5.10 | ACTION | | Policy | Ward: All |
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Vibrations Caused by Construction Activity

(May 16, 2007) report from Chief Building Official and Executive Director, Toronto Building

Recommendations

The Chief Building Official and Executive Director, Toronto Building recommends that:

1. The Chief Building and Executive Director report to Planning and Growth Management Committee with the necessary amendments to Chapter 363 of the City of Toronto Municipal Code to require details and particulars from building permit applicants relating to the potential for construction vibrations, and where there is the potential for construction borne vibrations to require conformance with a set of vibration control criteria. These criteria will include but are not limited to precondition surveys, vibration monitoring and conformance with peak particle velocity measurements appropriate to the site.

2. Toronto Building conduct a focused consultation with the building industry and resident's representatives to establish a communications protocol in order to appropriately document all public complaints.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

Summary

This report responds to Council direction for the Chief Building Official and Executive Director, Toronto Building to provide recommendations for regulating vibrations in the City of Toronto which are the result of construction activity. The recommendations are based on a technical research study recently completed for Toronto Building.

This report recommends that Toronto Building report back to the Planning and Growth Committee with amendments to the City of Toronto Municipal Code Chapter 363, Building Construction and Demolition following a focussed consultation. The amendments would require permit applicants to conform to a set of vibration control criteria where there is the potential for construction borne vibrations. This approach is proactive and provides measures and protections not likely available through a complaints driven approach. The report further recommends that Toronto Building develop a public communication policy in a focused consultation with the building industry and residents' representatives.

Background Information

staff report - vibrations caused by construction activity

<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3920.pdf>

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| PG5.11 | Information | | Transactional | |
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1998, 2001 and 2004 APTA Rail Safety Audits - Updates

(May 9, 2007) letter from General Secretary, Toronto Transit Commission

Summary

Forwarding for information, the twelfth update of the TTC Management Actions for the 1998 APTA Rail Safety Audit, the tenth update of the TTC Management Actions for the 2001 APTA Rail Safety Audit and the fourth update of the TTC Management Actions for the 2004 APTA Rail Safety Audit.

Background Information

ttc letter - 1998, 2001 & 2004 apta rail safety audits - updates

<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3921.pdf>

ttc report - 1998, 2001 & 2004 apta rail safety audits

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3922.pdf>)

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| PG5.12 | ACTION | | Transactional | |
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Toronto Cycling Advisory Committee - Revised Terms of Reference

(May 17, 2007) letter from Councillor A.A. Heaps, Ward 25 Scarborough Southwest

Recommendations

That the Planning and Growth Management Committee endorse the Toronto Cycling Advisory Committee revised Terms of Reference.

Summary

Forwarding for the Committee's endorsement the revised Terms of Reference for the Toronto Cycling Advisory Committee.

Background Information

toronto cycling advisory committee - terms of reference

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3926.pdf>)

councillor heaps letter - toronto cycling advisory committee

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3929.pdf>)

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| PG5.13 | ACTION | | Transactional | |
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Development of a Protocol for Carriers to Follow in Siting Telecommunications Towers

Confidential - Attachment 1 - The receiving of advice that is subject to solicitor-client privilege

(May 1, 2007) letter from City Clerk

Summary

Advising that City Council on April 23 and 24, 2007 adopted this item as amended and in so doing, referred the matter of the siting of the telecommunications tower to the Planning and Growth Management Committee for the development of a protocol for carriers to follow in siting telecommunications towers.

Background Information

cc7.5 - appeal of court decision re : telus communications company

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3924.pdf>)

city council decision - item cc7.5

<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-3925.pdf>