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## Planning and Growth Management Committee

<b>Meeting No.</b>	11	<b>Contact</b>	Merle MacDonald, Committee Administrator
<b>Meeting Date</b>	Thursday, November 29, 2007	<b>Phone</b>	416-392-7340
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	pgmc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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<b>Location</b>	Committee Room 1, City Hall		

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PG11.1	AMENDED			Ward: All
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### Protocol for Negotiating Section 37 Community Benefits - Revised

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. The Protocol attached as Appendix B to the report of the Chief Planner and Executive Director, City Planning, dated December 7, 2007 (PG11.1b), be used as a guide by Councillors and staff in negotiating community benefits under Section 37 of the Planning Act, in accordance with the policies of the Official Plan.

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(September 18, 2007) Report from Chief Planner and Executive Director, City Planning

#### Committee Recommendations

The Planning and Growth Management Committee recommends that Council approve the following:

1. The Protocol attached as Appendix A to the report of the Chief Planner and Executive Director, City Planning, dated September 18, 2007 be used as a guide by Councillors and staff in negotiating community benefits under Section 37 of the Planning Act, in accordance with the policies of the Official Plan.

#### Decision Advice and Other Information

The Planning and Growth Management Committee:

1. referred the letter (November 27, 2007) from William H. Roberts to the Chief Planner

and Executive Director, City Planning, for consideration and report to Council on December 11, 2007; and

2. received the report (August 8, 2007) from the Chief Planner and Executive Director, City Planning.

### **Financial Impact**

This report has no financial implications.

### **Summary**

In light of Planning and Growth Management Committee's direction and the deputations made at the September 5, 2007 meeting, City Planning staff has revised the Protocol for Negotiating Section 37 Community Benefits. Revisions have been made in order to clarify that the Protocol must be read together with the Official Plan policies and the Section 37 Implementation Guidelines (not yet adopted); that the implementation must comply with the Official Plan policies; that Section 37 is to be used only where the proposed development represents good planning; to encourage determination of community benefit priorities in advance of receiving development applications; to give priority consideration to consultation with the Ward Councillor and the community; and to clarify that generally, Section 37 funding is no substitute for normal operating budget or routine capital maintenance program funding.

Ratepayer and residents groups throughout the City and the development industry and the Board of Trade were notified and asked to comment on the Protocol, directly to Planning and Growth Management Committee. Staff is recommending that the revised Protocol be used as a guide in negotiating Section 37 community benefits.

### **Background Information**

Report - Protocol for Negotiating Section 37 Community Benefits  
(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8349.pdf>)

#### **1a Protocol for Negotiating Section 37 Community Benefits**

(August 8, 2007) Report from Chief Planner and Executive Director, City Planning

### **Financial Impact**

This report has no financial implications.

### **Summary**

As requested by Planning and Growth Management Committee at its March 29, 2007 meeting, this report forwards a protocol for negotiating community benefits to be secured in rezoning applications involving increases in height and/or density, pursuant to Section 37 of the Planning Act. The protocol attached as Appendix A to this report addresses the use of Section 37 (S.37), the inputs for determining the types of community benefits to be secured, including where relevant the land value of the proposed density increase, how the Ward Councillor is informed and consulted, the role of City Planning staff in the negotiations, and other issues regarding the

negotiation of benefits.

The application of the relevant Official Plan policies is the primary basis for determining an appropriate package of S.37 community benefits, and the proposed S.37 Implementation Guidelines, when adopted by City Council, may provide additional assistance. Staff recommends that this protocol be used by City staff and Councillors as a guide in negotiating Section 37 community benefits.

### **Background Information**

Protocol for Negotiating Section 37 Community Benefits

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8350.pdf>)

### **Additional Background Information (City Council)**

- Report (December 7, 2007) from the Chief Planner and Executive Director, City Planning ([PG11.1b](#))

### **Communications**

(September 4, 2007) e-mail from William H. Roberts (PG.Main.PG 11.1.1)

(November 27, 2007) letter from William H. Roberts (PG.New.PG11.1.2)

### **Speakers**

William H. Roberts (Submission Filed)

Councillor Cliff Jenkins, Ward 25 Don Valley West

PG11.2	NO AMENDMENT			Ward: 5
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## **Six Points Interchange Reconfiguration Class Environmental Assessment Study**

### **City Council Decision**

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council grant authority to the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning, to issue a Notice of Completion and to file the Environmental Study Report for the Six Points Interchange Reconfiguration Class Environmental Assessment Study in the public record for 30 days, in accordance with the requirements of the Municipal Class Environmental Assessment.
2. City Council grant authority to the Chief Planner and Executive Director, City Planning, to bring forward a report on any necessary amendments to the City of Toronto Official Plan to provide for the Recommended Design for reconfiguring the Six Points Interchange upon approval of the Environmental Study Report under the

Environmental Assessment Act.

3. City Council request the General Manager, Transportation Services, the Chief Planner and Executive Director, City Planning, the Chief Corporate Officer and the Deputy City Manager and Chief Financial Officer to report jointly on a funding and staging strategy for implementing the reconfiguration of the Six Points Interchange, upon approval of the Environmental Study Report under the Environmental Assessment Act.
4. Upon approval of the Environmental Study Report under the Environmental Assessment Act, City Council request staff to undertake the following:
  - a. the General Manager, Transportation Services, initiate a traffic monitoring study in 2008 within the affected areas to understand, in detail, the current traffic volumes, speeds and patterns, to identify existing issues and provide base data for further monitoring of traffic issues during construction and after reconfiguration of the Six Points Interchange;
  - b. the General Manager, Transportation Services, develop a Traffic Management Plan to reduce traffic incursion into the surrounding residential areas during construction and after reconfiguration of the Six Points Interchange;
  - c. the detailed design of the road network to continue to allow for the current range of access for private vehicles at the Viking Lane and Kipling Avenue intersection;
  - d. the detailed design of the road network to identify opportunities to incorporate landscaped medians on new sections of Bloor Street, Dundas Street and Kipling Avenue; and
  - e. the detailed design of the road network to incorporate a unique or area-specific series of design details for sidewalks, boulevards and street lighting.

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(November 12, 2007) Report from General Manager, Transportation Services and Chief Planner and Executive Director, City Planning

### **Committee Recommendations**

The Planning and Growth Management Committee recommends that Council:

1. Grant authority to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning to issue a Notice of Completion and to file the Environmental Study Report for the Six Points Interchange Reconfiguration Class Environmental Assessment Study in the public record for 30 days in accordance with the requirements of the Municipal Class Environmental Assessment;

2. Grant authority to the Chief Planner and Executive Director of City Planning to bring forward a report on any necessary amendments to the City of Toronto Official Plan to provide for the Recommended Design for reconfiguring the Six Points Interchange upon approval of the Environmental Study Report under the Environmental Assessment Act; and
3. Request the General Manager of Transportation Services, the Chief Planner and Executive Director of City Planning, the Chief Corporate Officer, and the Deputy City Manager and Chief Financial Officer to report jointly on a funding and staging strategy for implementing the reconfiguration of the Six Points Interchange, upon approval of the Environmental Study Report under the Environmental Assessment Act.
4. Upon approval of the Environmental Study Report under the Environmental Assessment Act, request staff to undertake the following:
  - c. The General Manager, Transportation Services initiate a traffic monitoring study in 2008 within the affected areas to understand in detail the current traffic volumes, speeds, and patterns; to identify existing issues; and provide base data for further monitoring of traffic issues during construction and after reconfiguration of the Six Points Interchange.
  - d. The General Manager, Transportation Services develop a Traffic Management Plan to reduce traffic incursion in to the surrounding residential areas during construction and after reconfiguration of the Six Points Interchange.
  - c. The detailed design of the road network to continue to allow for the current range of access for private vehicles at the Viking Lane and Kipling Avenue intersection.
  - d. The detailed design of the road network to identify opportunities to incorporate landscaped medians on new sections of Bloor Street, Dundas Street, and Kipling Avenue.
  - e. The detailed design of the road network to incorporate a unique or area-specific series of design details for sidewalks, boulevards, and street lighting.

### **Financial Impact**

There is no immediate financial impact resulting from the recommendations contained in this report.

The reconfiguration of the Six Points Interchange is closely tied to the future use, and potential disposition, of the Westwood Theatre Lands and adjacent surplus interchange lands. As indicated in the above recommendation, subsequent to the approval of the Environmental Study Report under the Environmental Assessment Act, a future staff report will be submitted that provides a funding and staging strategy for implementing the reconfiguration of the Six Points Interchange.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## Summary

The Six Points Interchange is a complex grade-separated intersection of three arterial roads, namely Dundas Street West, Bloor Street West and Kipling Avenue. Built in 1961, its design is comparable to that of a highway interchange. The design was envisioned as a solution to improving the efficiency of the then existing six legged intersection of the three roads, at a time when little consideration was given to the long term development potential of abutting lands and the emphasis was on maximizing through traffic capacity.

For more than two decades, the reconfiguration of the Six Points Interchange has been a municipal objective, to help make what is now known as Etobicoke Centre a more urban, transit oriented, pedestrian and bike friendly place. This emerging centre, one of the four centres identified in the City's Official Plan and in Provincial planning policy, would realize improved development opportunities on both publicly and privately owned lands through the replacement of the existing interchange with a series of urban intersections and the creation of more conventional development blocks.

While various plans for the reconfiguration have been conceived in the past, none have been approved. This report recommends a preferred alternative for the reconfiguration of the interchange and that the Notice of Completion of the Class Environmental Assessment Study be issued. An approved Environmental Assessment Study Report would facilitate both short term and long range planning to accommodate change, including providing a context for private development approvals and public asset management.

Now is the right timing and opportunity to align a decision on the interchange reconfiguration with other decisions to be made by Council on opportunities for the future use of the Westwood Theatre Lands, transit improvements planned for Kipling and Islington subway stations and the continuing market interest in Etobicoke Centre.

A Municipal Class Environmental Assessment study examining the reconfiguration of the Six Points Interchange has been completed. The evaluation of alternative design solutions, which included consultation with the public and review agencies, resulted in the following Recommended Design:

- Removal of the existing interchange structures to create at-grade intersections between Kipling Avenue, Bloor Street West and Dundas Street West;
- A widening of Kipling Avenue to provide turning lanes at the new intersections, in addition to the existing 4 through lanes, from just south of Viking Lane to approximately 165 m north of Bloor Street, within a 42 m right-of-way;
- A 6-lane cross-section with exclusive left turn lanes at the appropriate intersections on a new Dundas Street West alignment through the Westwood Theatre Lands matching the existing Dundas Street cross-section west of Kipling Avenue to Bloor Street, within a 42 m right-of-way;
- Bloor Street West is directly connected east and west of Kipling Avenue via a new roadway with 4 through lanes, a 1.8 m bike lane in each direction, and the potential for

- on-street parking, within a 42 m right-of-way;
- A 4-lane cross-section on Dunbloor Road, within a 26 m right-of-way; and
- A new 2-lane roadway connection from St. Albans Road through the Westwood Theatre Lands to Dundas Street.

A Notice of Completion must now be issued and the Environmental Study Report filed in the public record for a 30-day review period in accordance with the requirements of the Municipal Class Environmental Assessment.

### Background Information

Six Points Interchange Reconfiguration Class Environmental Assessment Study

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8759.pdf>)

Six Points Interchange Reconfiguration Class - Attachments 1-4

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8760.pdf>)

Six Point ESR - Executive Summary Nov 07

(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8912.pdf>)

### Communications

(November 23, 2007) e-mail from Peter Nawalaniec (PG.New.PG11.2.1)

(November 26, 2007) letter from Charles McLeod, Islington Ratepayers' & Residents' Association (PG.New.PG11.2.2)

(November 26, 2007) letter from Robert Schwab, President, TSCC 1862 (PG.New.PG11.2.3)

(November 26, 2007) letter from Sheila Dowdell, Board Secretary, TSCC 1723 (PG.New.PG11.2.4)

(November 26, 2007) letter from Fred Reichl, President, TSCC 1577 (PG.New.PG11.2.5)

(November 28, 2007) e-mail from Arthur Roszak (PG.New.PG11.2.6)

(November 28, 2007) e-mail from Peter Henderson (PG.New.PG11.2.7)

(November 28, 2007) letter from Joel D. Farber, Fogler, Rubinoff LLP (PG.New.PG11.2.8)

### Speakers

Don Moffat

PG11.3	NO AMENDMENT			Ward: 3, 5
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### West District Study: Results of the West District Design Initiative

**Confidential Attachment 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes**

### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. Council approve the urban design visions resulting from the West District Design Initiative, as cited and summarized within the body of this report.



2. Facilities and Real Estate continue to manage the vision and disposition of the Westwood Theatre Lands site.
3. Staff work with the YMCA of Greater Toronto to accommodate their intent to develop a large-scale recreational facility on the Westwood Theatre Site.
4. Staff work with interested community partners on accommodating performing arts facilities on the Bloor/Islington or the Westwood Theatre lands.
5. The General Manager, Parks, Forestry and Recreation, report to the Planning and Growth Management Committee, in May 2008, on a plan for Parks/Open Space and Recreational facilities on the Westwood Theatre lands.
6. The Chief Planner and Executive Director, City Planning, and the Chief Corporate Officer report to the Planning and Growth Management Committee, in May 2008, on developing a framework to achieve ecologically-sustainable development on the three City-owned sites referenced in the WDDI.
7. The Chief Corporate Officer work with Enwave and Toronto Hydro on developing a strategy for reducing the carbon footprint of development on the three City-owned sites referenced in the WDDI, and report specifically to the Planning and Growth Management Committee, in May 2008, on implementing a Pilot Project for Geothermal Source Heating and Cooling on the Westwood Theatre Lands for the first phase of development on the site.

Confidential Attachment 1 to the report (November 14, 2007) from the Chief Corporate Officer and the Chief Planner and Executive Director, City Planning, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes.

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(November 14, 2007) Report from Chief Corporate Officer and the Chief Planner and Executive Director, City Planning

### **Committee Recommendations**

The Planning and Growth Management Committee recommends that:

1. Council approve the urban design visions resulting from the West District Design Initiative, as cited and summarized within the body of this report.
2. Facilities and Real Estate continue to manage the vision and disposition of the Westwood Theatre Lands site.
3. Staff work with the YMCA of Greater Toronto to accommodate their intent to develop a large scale recreational facility on the Westwood Theatre Site.

4. Staff work with interested community partners on accommodating performing arts facilities on the Bloor/Islington or the Westwood Theatre lands.
5. The General Manager of Parks, Forestry and Recreation report to the Planning and Growth Management Committee in May 2008 on a plan for Parks/Open Space and Recreational facilities on the Westwood Theatre lands.
6. The Chief Planner and Executive Director of City Planning and the Chief Corporate Officer report to the Planning and Growth Management Committee in May 2008 on developing a framework to achieve ecologically sustainable development on the three City owned sites referenced in the WDDI.
7. The Chief Corporate Officer work with Enwave and Toronto Hydro on developing a strategy for reducing the carbon footprint of development on the three City owned sites referenced in the WDDI; and report specifically to the Planning and Growth Management Committee in May 2008 on implementing a Pilot Project for Geothermal Source Heating and Cooling on the Westwood Theatre Lands for the first phase of development on the site.

### Financial Impact

There are no financial implications arising from the recommendations of this report.

### Summary

The purpose of this report is to advise Council on the results of the West District Design Initiative (WDDI), and to recommend to Council that it adopt the urban design visions for Bloor-Islington, Westwood and Current Etobicoke Civic Complex lands as set out in the final reports for the WDDI.

### Background Information

West District Study: Results of the West District Design Initiative  
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8765.pdf>

### Speakers

Harold Fioani, Horner Dev. Ltd.

PG11.8	NO AMENDMENT			
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### Transit Passes - New Condominium Units

#### City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

1. Until a policy on transit passes for new condominium units is adopted, Council refrain

from making ad hoc requests for transit passes for new developments, which do not conform to any City policy and are contradictory to the Section 37 Protocol.

(October 29, 2007) Letter from City Clerk

**Committee Recommendations**

The Planning and Growth Management Committee recommends:

1. That until a policy on transit passes for new condominium units is adopted, Council refrain from making ad hoc requests for transit passes for new developments, which does not conform to any City policy and contradictory to the Section 37 Protocol.

**Decision Advice and Other Information**

The Planning and Growth Management Committee referred the motion by Councillor Moscoe to the Chief Planner and Executive Director of City Planning for consideration and report to the Committee by February 2008.

**Summary**

City Council on October 22 and 23, 2007, referred Councillor Moscoe's motion to the Planning and Growth Management Committee for consideration.

**Background Information**

Letter October 29, 2007 from City Clerk re Transit Passes  
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8800.pdf>  
 Planning and Transportation Committee Report 3 Clause 8 - Attachment to M155  
<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8801.pdf>

**Speakers**

Lela Gary, Air Pollution Coalition (Submission Filed)  
 Councillor Howard Moscoe, Ward 15 Eglinton-Lawrence

PG11.10	RECEIVED FOR INFORMATION			
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**TTC Accessibility Complaints**

**City Council Decision**

City Council on December 11, 12 and 13, 2007, received this Item for information.

(November 29, 2007) Member Motion from Councillor Karen Stintz

**Committee Recommendations**

The Planning and Growth Management Committee recommends that:

1. In view of the comments raised by David Lepofsky during his presentation on TTC Accessibility complaints (Item PG11.7), as well as the significant funds expended by the TTC on the issue, Council request the Auditor General to review this matter as a formal complaint received through the Auditor General's "Fraud and Waste Hotline Programme"; and further, request the Auditor General to investigate how accessibility complaints are managed and addressed.

### **Summary**

Motion from Councillor Karen Stintz regarding complaints with TTC Accessibility.

*Submitted Thursday, November 29, 2007*

*Councillor Norman Kelly, Chair, Planning and Growth Management Committee*