

Planning and Growth Management Committee

Meeting No.	15	Contact	Merle MacDonald, Committee Administrator
Meeting Date	Thursday, May 8, 2008	Phone	416-392-7340
Start Time	9:30 AM	E-mail	pgmc@toronto.ca
Location	Committee Room 1, City Hall		

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

Members of Council and Staff: Please keep this agenda and the accompanying material until the City Council meeting dealing with these matters has ended. **The City Clerk's Office will not provide additional copies.**

Special Assistance for Members of the Public: City staff can arrange for special assistance with some advance notice. If you need special assistance, please call 416-392-8013, TTY 416-338-0889 or e-mail pgmc@toronto.ca.

Closed Meeting Requirements: If the Planning and Growth Management Committee wants to meet in closed session (privately), a member of the committee must make a motion to do so and give the reason why the Committee has to meet privately. (City of Toronto Act, 2006)

Notice to people writing or making presentations to the Planning and Growth Management Committee: The City of Toronto Act, 2006 and the City of Toronto Municipal Code authorize the City of Toronto to collect any personal information in your communication or presentation to City Council or its committees.

The City collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, e-mails, presentations or other communications to the City, you should be aware that your name and the fact that you communicated with the City will become part of the public record and will appear on the City's website. The City will also make your communication and any personal information in it – such as your postal address, telephone number or e-mail address – available to the public, unless you expressly request the City to remove it.

The City videotapes committee and community council meetings. If you make a presentation to a committee or community council, the City will be videotaping you and City staff may make the video tapes available to the public.

If you want to learn more about why and how the City collects your information, write to the City Clerk's Office, City Hall, 100 Queen Street West, Toronto ON M5H 2N2 or by calling 416-392-7340.

Declarations of Interest under the Municipal Conflict of Interest Act**Confirmation of Minutes - April 10, 2008****Speakers/Presentations – A Complete list will be distributed at the meeting****Communications/Reports**

PG15.1	ACTION	9:45 AM		Ward: 31, 34
--------	--------	---------	--	--------------

O'Connor/Bermondsey Business Area Study and Interim Control By-law - Final Report

Statutory - Planning Act, RSO 1990

(March 25, 2008) Report from Acting Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. City Council amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 3.
2. City Council amend Zoning By-law 6725, as amended, for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendment as may be required.
4. In the event that the proposed amendments are appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in support of the recommendations contained within this report.
5. In the event that the Site Plan Control Application for 20 Curity Avenue is appealed to the Ontario Municipal Board the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in opposition to such Site Plan Control approval and further the Acting Chief Planner and Executive Director of City Planning Division, in consultation with the City Solicitor, be authorized to settle such Site Plan appeal on terms satisfactory to him.

Financial Impact

The recommendations in this report have no financial impact.

Summary

City Council on May 23, 24 and 25, 2007 directed the Chief Planner and Executive Director to undertake a study for all lands within the O'Connor/Bermondsey Business Area that are

designated as Employment Areas on Map 20 in the Official Plan. The purpose of the study was to review and analyze the existing conditions, zoning regulations and planning policies as they relate to Places of Worship within the O'Connor/Bermondsey Business Area, and to determine if new policies and standards are required.

At that same meeting, City Council enacted an Interim Control By-law to prohibit Places of Worship on all lands within the O'Connor/Bermondsey Business Area for a period of one (1) year. The Interim Control By-law will expire on May 23, 2008.

This report presents the findings of the O'Connor/Bermondsey Business Area planning study, and recommends amendments to the former Borough of East York Zoning By-law 6752, as amended.

The proposed By-law Amendment for the portion of the area in East York continues to permit Places of Worship and establishes new regulations through the introduction of specific development standards.

These City-initiated amendments are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

Background Information

March 25, 2008 Report - O'Connor/Bermondsey Business Area Study
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12518.pdf>

PG15.2	ACTION	10:00 AM		Ward: All
---------------	---------------	-----------------	--	------------------

Stimulating Economic Growth: Toronto's Imagination, Manufacturing, Innovation and Technology (IMIT) Financial Incentives Program

Presentation

Statutory - Planning Act, RSO 1990

(April 22, 2008) Report from Sue Corke, Deputy City Manager, Joe P. Pennachetti, Deputy City Manager and Chief Financial Officer and Gary Wright, Acting Chief Planner and Executive Director, City Planning

Recommendations

The Deputy City Manager of Citizen Focused Services A, the Deputy City Manager and Chief Financial Officer and the Acting Chief Planner and Executive Director recommend that City Council:

1. Designate the lands shown on Maps 1 and 2, attached hereto as Schedule "1" of Attachment 1, as a Community Improvement Project Area.

2. Adopt the City-wide Community Improvement Plan attached hereto as Schedule “2” of Attachment 1 to implement a City-wide Financial Incentives Program consisting of development grants, in the form of Tax Increment Equivalent Grants for certain defined uses, and/or Brownfield Remediation Tax Assistance.
3. Adopt the Waterfront Community Improvement Plan attached hereto as Attachment 2 to implement a Financial Incentives Program consisting of development grants, in the form of Tax Increment Equivalent Grants for certain defined uses, and/or Brownfield Remediation Tax Assistance in the Waterfront, and to allow the City to acquire land in the Waterfront, develop it, rehabilitate or expand buildings on it, and dispose of the land or buildings at or below market value.
4. Adopt the South of Eastern Employment District Community Improvement Plan attached hereto as Attachment 3 to implement a Financial Incentives Program consisting of development grants, in the form of Tax Increment Equivalent Grants for certain defined uses, and/or Brownfield Remediation Tax Assistance in the South of Eastern, and to allow the City to acquire land in the South of Eastern, develop it, rehabilitate or expand buildings on it, and dispose of the land or buildings at or below market value.
5. Repeal the New Toronto CIP at the first meeting of Council following the date that the City-wide CIP comes into full force and effect for the area covered by the New Toronto CIP recognizing that applications received before that date shall continue to receive grants pursuant to the New Toronto CIP.
6. Direct the General Manager of Economic Development, Culture and Tourism to report back on steps that may be necessary to accommodate the WoodbineLive! proposal to establish a major tourism/entertainment complex in North West Etobicoke and a separate CIP schedule if necessary.
7. Provide authority to the General Manager of Economic Development, Culture and Tourism to review applications to the Financial Incentives Program to determine eligibility and to execute financial incentive agreements to implement the Brownfield Remediation Tax Assistance Program and the Development Grant Program, in a form satisfactory to the City Solicitor.
8. Direct the General Manager of Economic Development, Culture and Tourism to initiate a review of the CIP's and Financial Incentive Program no later than 4 years after this plan comes into effect or when the total financial commitment through the proposed CIP's exceeds \$50 million, whichever is earlier.
9. Direct the General Manager of Economic Development, Culture and Tourism to report on the composition of an Advisory Committee to be established to assist with the program review as provided for in Recommendation 8 above.
10. Direct the General Manager of Economic Development, Culture and Tourism to prepare an annual report to the Economic Development Committee outlining grant recipients, their corresponding projects and level of incentive provided.

11. Direct the appropriate City officials to request the Province to amend legislation to enable the City of Toronto to apply a lower tax rate to new construction in the commercial property class and industrial property class, as may be defined by the Province in its application of a lower education tax rate to such new construction.
12. Subject to the legislation being enacted in Recommendation 11, apply a lower tax rate to new construction as defined in the legislation, such lower tax being based on a municipal tax rate of 2.5 times the residential rate.
13. In conjunction with the adoption of the Financial Incentives Program, direct Economic Development staff to develop and implement a comprehensive marketing plan for the promotion of the Financial Incentives Program as well as other business friendly initiatives as outlined in “Toronto’s Enhanced Business Climate Report Update”.
14. Authorize the General Manager of Economic Development, Culture and Tourism to establish protocols with the Provincial Ministries of Economic Development and Trade (MEDT), Research and Innovation (MRI), Small Business and Entrepreneurship (MSBE) to ensure that the City’s incentives program and the Provinces Next Generation Jobs Fund and related programs work together effectively to support Toronto’s existing business community and attract new investment.
15. Authorize the City Solicitor to introduce the necessary bills to implement the foregoing.

Financial Impact

The intent of the proposed program is to implement incentives and initiatives to attract new businesses consistent with the City's key economic sectors, thereby expanding the City's property assessment base and property tax revenues with a net positive impact on the City over the long term. Tax Increment Equivalent Grants (TIEG's), made under the provisions of a Community Improvement Plan (CIP), are intended to be funded from new incremental tax revenues that, but for the provision of financial incentives, the City would not otherwise realize.

To some extent then, the true financial impact is difficult to estimate at this point, because the basis of the grant is that without it the development would not occur. Historically, however, some natural assessment growth has occurred within the sectors recommended for financial incentives in this report, in the absence of these proposed financial incentives. Under the proposed CIP's, all new development within the allowable sectors, whether specifically motivated to locate or expand by the offer of incentives, or not, would be eligible for the TIEG's. Thus recent growth provides a baseline indicator of the potential impact. Over the last 3 years, the City has received on average 6 new construction projects per year that would have been eligible for incentives that now produce \$6 million in taxes annually for the City.

Figure 1 - Natural Assessment Growth 2005-2007

SECTOR recommended for eligibility	No. Permits	Construction Value	Approximate annual tax levy on additional construction	Potential TIEG 10yrs @60%
Manufacturing	12	\$73,850,000	1,477,000	8,862,000
IT	1	\$21,000,000	420,000	2,520,000
Biomedical	1	\$14,000,000	280,000	1,680,000
Tourism	1	\$29,000,000	580,000	3,480,000
Office - (related to eligible sectors)	4	\$163,539,595	3,270,792	19,624,751
TOTAL	19	\$301,389,595	6,027,792	36,166,751

Based on historical assessment growth, and the proposed 60% TIEG over 10 years, the City could potentially be foregoing \$36 million in taxes from just the 3 years reviewed alone. This potential assessment growth loss has to be weighed against the potential future assessment gains and increased economic impact from development that would not otherwise have occurred. In addition, several new major development proposals are currently before the City that will not otherwise occur in the absence of sufficient financial incentives. These include major development proposals representing the potential of over \$1 billion in assessment value, and potentially \$20 million annually in property taxes for the City. If eligible for the financial incentives proposed, these developments may be entitled to \$120 million in TIEG grants over 10 years, with the City receiving \$80 million in new tax revenue over the same period.

A budgetary account will be established to direct a portion of incremental tax revenues in each year of the program's operation in an amount sufficient to fund annual grants provided. The balance of new tax revenues will contribute to the City's overall tax revenues arising from new assessment growth.

Since the financial impact of the program is difficult to estimate at this stage, it is recommended that the program be reviewed either four years after the CIP's come into effect or when the total financial commitment through the proposed CIP's exceeds \$50 million, whichever comes earlier.

Summary

At its December 11, 12, 13, 2007 meeting, Council approved in principle the introduction of a City-Wide Financial Incentives Program (FI Program) in order to stimulate investment in the industrial commercial sectors in Toronto. This complemented Council's 2006 direction for the preparation of Community Improvement Plans to provide financial incentives to support economic development in the Waterfront and the South of Eastern Employment District.

This Report recommends a strategy to implement the FI Program through a City-wide Community Improvement Plan (CIP) and separate CIP's for the Waterfront and the South of Eastern Employment District that:

- a. Include brownfield remediation tax assistance and tax increment equivalent grants for the development of employment uses within identified sectors;
- b. Target the following sectors: Manufacturing, Bio-medical, Environmental, Information

Technology, Creative Industries and Tourism;

- c. Support new office construction in the Etobicoke, North York and Scarborough Centres, and in the Waterfront and South of Eastern Employment District;
- d. Provide grants to a maximum of 60% of a project's tax increment over a ten year period with the potential for the cancellation of the tax increment for up to two additional years to provide incentives for soil clean-up, when necessary (for a combined maximum incentive of 67% of the tax increment); and
- e. Requires grant recipients to achieve green building standards and participate in local hiring initiatives.

The program will be administered by Economic Development Culture and Tourism, with the Division's General Manager being responsible for the review and approval or rejection of applications for assistance and ensuring that recipients comply with the requirements of the program. Other City Divisions will provide administrative assistance as required.

Intensive consultation processes for the City-wide and Waterfront initiatives enabled Toronto businesses, associations, unions, landowners, ratepayer groups and the general public to provide their comments and suggestions for an acceptable program.

This is a bold initiative for the City of Toronto which will have positive benefits for the municipality and aligns with the Agenda for Prosperity. It will allow the City to compete more effectively in the global marketplace and put Toronto on equal footing with many jurisdictions which have been utilizing financial incentives for many years to their advantage.

Background Information

Stimulating Economic Growth: Toronto's Imagination, Manufacturing, Innovation and Technology (IMIT) Financial Incentives Program

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12573.pdf>

CIP Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12576.pdf>

CIP Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12577.pdf>

CIP Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12578.pdf>

CIP Attachment 4

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12579.pdf>

CIP Attachment 5

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12580.pdf>

CIP Attachment 6

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12581.pdf>

PG15.3	ACTION			Ward: All
--------	--------	--	--	-----------

Intensification of Mixed Use Sites – Development Process

(Deferred from April 10, 2008 - PG14.3)

(March 25, 2008) Report from Acting Chief Planner and Executive Director, City Planning

Financial Impact

The recommendations in this report have no financial impact.

Summary

At its meeting on February 13, 2008, Planning and Growth Management Committee (PGM) directed Planning Staff to report to Committee on April 10, 2008, on how applications for residential developments that intensify the neighbourhood are addressed. This report summarizes the policy framework for considering such applications as well as the general process that the City Planning Division uses when reviewing an intensification application.

Background Information

Intensification of Mixed Use Sites - Development Process

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12515.pdf>

PG15.4	Information			Ward: All
--------	-------------	--	--	-----------

Amendment to the Official Plan Regarding Complete Applications

(April 22, 2008) Report from Acting Chief Planner and Executive Director, City Planning

Financial Impact

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

Summary

At its meeting of February 13, 2008 Planning and Growth Management Committee referred consideration of the report entitled 'Amendment to the Official Plan Regarding Complete Applications' to its meeting of May 8, 2008 or earlier if possible to enable staff to work with ratepayer and developer representatives in an effort to resolve issues brought to the attention of the Committee by deputants.

Staff is currently negotiating with ratepayer representatives in an effort to resolve outstanding issues. Additional time is needed to enable discussions to continue.

Background Information

Amendment to the Official Plan Regarding Complete Applications

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12526.pdf>

PG15.5	ACTION			Ward: 3, 5
--------	--------	--	--	------------

Carbon Footprint Reduction on the three City West District Design Initiative sites

Presentation

(April 22, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends to City Council that:

1. The Chief Corporate Office, in conjunction with Toronto Hydro Energy Services Incorporated (THESI) and Enwave Energy Corporation (Enwave), carry out a Community Energy Assessment for the 3 development areas: Etobicoke Civic Centre, Westwood Theatre Lands and Bloor-Islington Lands developments, consistent with the strategy for reducing the carbon footprint for the sites.
2. The Chief Corporate Officer continue to work with Toronto Hydro Energy Services Incorporated (THESI) and Enwave Energy Corporation (Enwave) on the implementation of a pilot project for Geothermal Source Heating and Cooling on the Westwood Theatre Lands.

Summary

A community energy assessment will determine projected energy demand profiles and opportunities to minimize energy needs and explore options, including geo-energy and district energy systems, for meeting energy demands for the purpose of reducing the development's carbon footprint, on the three City-owned sites referenced in the West District Design Initiative: Etobicoke Civic Centre, Westwood Theatre Lands and Bloor Islington Lands.

Background Information

Carbon Footprint Reduction on the three City West District Design Initiative sites

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12570.pdf>

Carbon Footprint Reduction - Appendix A

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12571.pdf>

PG15.6	ACTION			Ward: All
--------	--------	--	--	-----------

Amendments to Municipal Code Chapter 363: Vibration Control

(April 24, 2008) Report from Chief Building Official and Executive Director, Toronto Building

Recommendations

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

1. City Council authorize the City Solicitor to introduce a Bill amending Chapter 363 of the City of Toronto Municipal Code as outlined in this report and largely in accordance with the attached draft bylaw (Attachment No. 1).

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 report to Planning and Growth Committee with amendments to Chapter 363 of the Toronto Municipal Code to regulate vibrations that result from construction activity. The previous report endorsed by Council (June 2007) recommended a proactive, rather than a complaints driven approach.

The proposed by-law amends Chapter 363, under the authority of the Building Code Act to require building permit applicants to identify construction and demolition activities that may result in vibrations. When there is a likelihood of vibrations, the by-law requires the applicant to develop a vibration monitoring program, hold a public meeting and conduct precondition surveys of buildings and structures within an identified "zone of influence". The by-law contains specific vibration control criteria to which construction must conform and sets out a notification and complaints protocol.

The by-law does not replace the general nuisance by-laws, but will limit the potential for adverse impacts on buildings and infrastructure adjacent to sites where construction activity is taking place.

The by-law reflects the public and Councillors' comments Toronto Building received during a focused consultation.

Background Information

Amendments to Municipal Code Chapter 363: Vibration Control
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12572.pdf>
 Draft By-law Construction Vibrations
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12575.pdf>

PG15.7	ACTION			Ward: All
--------	--------	--	--	-----------

Toronto-York Spadina Subway Extension - Project Update

(Deferred from February 13 and April 10, 2008 – PG13.12 and PG14.5)

(January 7, 2008) Report from Chief General Manager, Toronto Transit Commission

Summary

Providing an update, as requested by the Planning and Growth Management Committee on November 29, 2007, regarding Toronto-York Spadina Subway Extension Project.

Background Information

Toronto-York Spadina Subway Extension Project Update
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12517.pdf>)

7a Toronto-York Spadina Subway Extension - Funding Update

(February 7, 2008) Letter from Chief General Manager, Toronto Transit Commission

Summary

Update on the Toronto-York Spadina Subway Extension Project.