
Planning and Growth Management Committee

Meeting No.	20	Contact	Merle MacDonald, Committee Administrator
Meeting Date	Thursday, November 13, 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

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Declarations of Interest under the Municipal Conflict of Interest Act**Confirmation of Minutes - October 14, 2008****Speakers/Presentations – A Complete list will be distributed at the meeting****Communications/Reports**

PG20.1	Presentation	9:50 A.M.		
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Agriculture in the City of Toronto**Summary**

Presentation from Gordon Graf regarding Agriculture in the City.

PG20.2	ACTION	10:00 A.M.		Ward: All
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Municipal Code Chapter 363, Construction and Demolition By-law: Technical and Fee Schedule Amendments*Public Meeting*

(October 30, 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 adopt the amendments to Chapter 363 of the Municipal Code, largely itemized in the form attached (Appendix A) to implement necessary technical and administrative changes required as a result of the 2006 Ontario Building Code as outlined in this report including fees to recover the costs of:
 - a. the review and approval of alternative solutions and building materials under the objective based code format (effective January 1, 2009);
 - b. administrative work related to remediating former marijuana grow operation properties (effective January 1, 2009);
 - c. public requests for the disclosure of plans and records (effective April 1, 2009).
2. The funding outlined in this report, in the amount of \$779.0 thousand gross, \$0 net, be referred to the Budget Committee for consideration with the 2009 Operating Budget process to permit Toronto Building:

- a. to conduct inspections of former marijuana grow operations, as required by the City of Toronto Act, 2006; and
- b. to provide expanded routine disclosure of building permit records and plans.

Financial Impact

There are no financial implications associated with the introduction of necessary technical and administrative amendments resulting from changes made in the 2006 Ontario Building Code. The new fee that would apply to the review of alternative solutions is not expected to affect overall revenue projected to be collected from permit applications.

The 2009 Operating Budget request includes proposals for 100% fee-recovered, new and enhanced services of \$779.0 thousand gross, \$0 net, based on nine months funding of:

- a. \$525.0 thousand gross, \$0 net for the inspection of marijuana grow operations (includes one-time cost component of \$95.0 thousand for equipment and vehicles), with an estimated 2010 full year impact of \$570.0 thousand gross, \$0 net, and
- b. \$254.0 thousand gross, \$0 net for an enhanced records disclosure program (includes one-time cost component of \$25.0 thousand for equipment) with an estimated 2010 full year impact of \$315.0 thousand gross, \$0 net.

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

Summary

The purpose of this report is to recommend Council approval of amendments and additions to Municipal Code Chapter 363 that would:

- Introduce necessary technical and administrative amendments resulting from changes made in the 2006 Ontario Building Code, including a cost recovery fee to facilitate approval of “alternative solutions” under the objective based code format.
- Provide Toronto Building with the ability to recover the cost of administering remedial work to former marijuana grow operation properties.
- Enable Toronto Building to improve the efficiency and timeliness to public requests for the disclosure of plans and records, and provide the authority to recover costs.

Municipal Code Chapter 363 has not been significantly revised since the Building Code Statute Law Amendment Act (Bill 124) came into force at the end of 2005. Following these amendments to Municipal Code Chapter 363, the revised Ontario Building Code came into force.

It is necessary to make a number of administrative and technical changes to the Municipal Code to ensure consistency with the provincial regulations. The other changes pertaining to fees are consistent with the requirements of the Building Code Act. The Act requires that building permit fees be used for the purpose of administering and enforcing the Act and Code. The level of service associated with the marijuana grow operations and routine disclosure will support increased staffing levels required to deliver on the new service levels.

Background Information

Municipal Code Chapter 363, Construction and Demolition By-law: Technical and Fee Schedule Amendments

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16863.pdf>

Appendix A

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-17483.pdf>

PG20.3	ACTION			Ward: 14, 19, 20
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Official Plan Amendment for Front Street West – Request for Direction

(October 16, 2008) Report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. Staff be directed to prepare a draft Official Plan amendment to delete the reference to Front Street West between Bathurst Street and the F. G. Gardiner Expressway from Schedule 2, to be considered at the January 8, 2009 public meeting of the Planning and Growth Management Committee and to instruct the City Solicitor to seek necessary modifications to the Central Waterfront Secondary Plan at the appropriate time to reflect the required changes.
2. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.
3. Staff be directed to undertake an Environmental Assessment to secure planning approvals for the design and implementation of a local, east-west street north of the railway corridor in the Liberty Village area.

Financial Impact

A request for funds necessary to undertake an Environmental Assessment in 2009 for the design and implementation of a local east-west street north of the railway corridor in the Liberty Village Area has been submitted by Transportation Services as part of their Engineering Studies program currently under review as part of the overall 2009 Capital Budget

process.

The funds required for the land acquisition, construction costs and any other costs related to the east-west local street are not currently available and have not been included in the Transportation Services 2009 Capital Budget submission.

The cost for the local street, identified through the original EA study for the Front Street Extension Project was estimated at between \$40 million and \$50 million.

Should the construction of the east-west local street be required in the short term, in conjunction with or following the completion of the recommended environmental assessment study, the General Manager, Transportation Services would be required to report to the appropriate Committee(s) to outline total project costs, required cash flows and any other associated financial implications for consideration.

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

Summary

This report seeks direction from City Council to amend “Schedule 2: Planned but Unbuilt Roads” of the Official Plan by deleting the reference to Front Street West between Bathurst Street and the F. G. Gardiner Expressway. In addition, staff seek direction to undertake an Environmental Assessment (EA) to provide for a local street that does not connect to the expressway. The final recommendations of the EA with respect to the location of this street may require further changes to the Official Plan that would be reported on when the EA process is completed.

Background Information

Official Plan Amendment for Front Street West, Request for Direction
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16561.pdf>)

PG20.4	ACTION			Ward: 35, 36
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Official Plan Amendment for Danforth Avenue and Victoria Park Avenue - Kingston Road Transit Improvements Project Assessment Request for Direction

(October 17, 2008) Report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. Staff be directed to prepare a draft official plan amendment to indicate a surface transit

- priority segment on Danforth Avenue, from Victoria Park Avenue to Kingston Road, and along Victoria Park Avenue, from Danforth Avenue to Victoria Park Station.
2. The above mentioned official plan amendment be considered at a public meeting of the Planning and Growth Management Committee and notice for the public meeting be given according to the regulations under the Planning Act.
 3. The Environmental Project Report (EPR) for the Kingston Road Transit Improvements Project Assessment be brought forward to the same Planning and Growth Management Committee as the Official Plan Amendment so that they may inform each other and be considered together.

Financial Impact

The recommendations in this report have no financial impact.

Summary

The purpose of this report is to seek Council's authorization for the preparation of a City-initiated Official Plan Amendment to amend Map 5 of the Official Plan in order to indicate a surface transit priority route on Danforth Avenue, from Victoria Park Avenue to Kingston Road, and along Victoria Park Avenue, from Danforth Avenue to Victoria Park Station.

The Official Plan Amendment would enable implementation of the project to commence in a timely manner upon approval of the transit project assessment and procurement of funding.

Background Information

Official Plan Amendment for Danforth Avenue and Victoria Park Avenue - Kingston Road Transit Improvements Project Assessment Request for Direction
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16559.pdf>

PG20.5	ACTION			Ward: All
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Zoning Review of Reverse Slope Driveway Regulations

(October 30, 2008) Report from Chief Planner and Executive Director, City Planning

Recommendations

The Chief Planner and Executive Director of the City Planning recommends:

1. No general zoning amendments be considered for the North York District prior to consideration of a comprehensive draft city-wide zoning by-law with respect to:

- a. the definition of Boarding or Lodging Houses; and
 - b. reverse slope driveways.
2. No statutory public hearing be held with respect to the above.
 3. This report be forwarded to the North York Community Council for information at its meeting of November 18, 2008.

Financial Impact

The recommendations in this report have no financial impact.

Summary

The purpose of this report is to advise on two separate requests concerning reverse slope driveways. One request from Council directs a report to this Committee. The other is from North York Community Council to amend the North York zoning by-law.

A further request involves amending the definition of boarding and lodging house. Both these matters are of city-wide concern being addressed in the city-wide zoning by-law that is now being prepared.

To amend one zoning by-law and not all the current zoning by-laws that share the issue jeopardizes the City's ability to defend such an amendment at the Ontario Municipal Board. It will give appellants a convenient argument of inconsistent treatment of similar properties across the City. In addition, appellants will have another opportunity to appeal as each successive existing zoning by-law is amended.

Further, such action will take away staff resources needed to complete the city-wide zoning by-law work. Amending the existing zoning by-laws is time-consuming work owing to the fact that there are 43 of them. In addition, should there be an appeal of any one of them, more staff resources will be required to defend the appeals.

The early part of 2009 is the target date for producing the draft city-wide by-law for public consultation. In the interim, steps will be taken to highlight the basement flooding implications of reverse slope driveways for Committee of Adjustment panel members in their consideration of relevant variance applications.

Background Information

Zoning Review of Reverse Slope Driveway Regulations

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16861.pdf>)

PG20.6	ACTION			Ward: All
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Toronto Green Standard Update: Performance Measures for Sustainable Development

Staff Presentation

(October 30, 2008) Report from Chief Planner and Executive Director, City Planning

Recommendations

The Chief Planner and Executive Director of the City Planning recommends that:

1. City Council adopt the two-tiered set of performance measures associated with the Toronto Green Standard (revised Toronto Green Development Standard), as presented in Appendix A;
2. All divisions involved in the approval of development under the Planning Act, apply the performance measures found in Tier 1 of the Toronto Green Standard to all rezoning, site plan and plan of subdivision applications, commencing September 2009;
3. All Agencies, Boards, Commissions, Divisions and Corporations apply Tier 1 of the Toronto Green Standard commencing at the next capital budget cycle;
4. City Council request the Province to amend the City of Toronto Act to provide the ability for the City to require energy efficiency measures that exceed the levels set out in the Ontario Building Code (OBC).
5. The Chief Planner and Executive Director, in consultation with other Divisions involved in development review, prepare an implementation protocol for the application of the Toronto Green Standard by September 2009;
6. The Chief Planner, Executive Director undertake the next review of the Toronto Green Standard in two years time, in anticipation of changes to the Ontario Building Code.

Financial Impact

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

Any further financial implications, if any, arising from implementation protocol will be reported through the 2010 Operating Budget process.

Summary

The purpose of this report is to provide City Council with a comprehensive update on the results of a two-year review of the Toronto Green Standard (formerly referred to as the Toronto Green Development Standard), since adoption by Council in July 2006. This report presents the new and revised, two-tiered Green Standard for new construction and the supporting results from an extensive legal review and the Toronto Green Standard Cost-Benefit Study undertaken by the University of Toronto Faculty of Architecture, Landscape and Design (a,l&d, Cost-Benefit Study).

In July 2007, City Council adopted the Climate Change, Clean Air and Sustainable Energy Action Plan. The plan included recommendations towards making the Toronto Green Standard mandatory, to account for the effects of proposed construction on Toronto's energy supply, consumption and greenhouse gas emissions. The Toronto Green Standard (TGS) is a first step in establishing better development practices. There has been substantial input into strengthening the standard from City staff and the private sector.

The Green Standard is a set of performance measures that promote sustainable development. They represent Toronto's approach to greening development practices in multi-unit highrise residential buildings, institutional, commercial and industrial buildings and low-rise residential and non-residential development. Tier 1 is mainly secured through the planning process and will be validated in-house; Tier 2 is achieved by way of incentives and will be validated by a third party review. A Development Charge Refund is proposed for Tier 2 to encourage high levels of energy efficiency and greenhouse gas reductions.

Background Information

Toronto Green Standard Update: Performance Measures for Sustainable Development
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16862.pdf>

PG20.7	ACTION			Ward: All
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By-law to Require and Govern the Construction of Green Roofs in Toronto

Staff Presentation

(October 29, 2008) Report from Chief Building Official and Executive Director, Toronto Building and the Chief Planner and Executive Director, City Planning

Recommendations

The Chief Planner and Executive Director, City Planning and the Chief Building Official, Executive Director, Toronto Building recommend that:

1. City Council direct the Chief Planner and Chief Building Official to consult with affected stakeholders about the proposed approach, to require and govern the construction of green roofs as outlined in this report.

2. City Council direct that the Chief Planner and Chief Building Official report back to the next meeting of the Planning and Growth Management Committee with the results of the consultation and technical review and a draft by-law containing a green roof construction standard for implementation in January 2009.
3. Proposed amendments or additions to the technical requirements of the Toronto Green Roof Construction Standard undergo review by the Green Roof Technical Advisory Group prior to consideration by Council.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the Toronto Building base budget.

Fees for green roof permits would be equivalent to the building permit fees that would otherwise apply to green roof construction.

Summary

The purpose of this report is to provide Planning and Growth Management Committee with a content summary of the proposed Green Roof By-law prior to public consultation in late November. This by-law is proposed for implementation in January 2009.

A Toronto Green Roof By-law, enacted under the authority of Section 108 of the City of Toronto Act (COTA), would require green roofs on certain types of new buildings and regulate the design and construction of green roofs in Toronto. Toronto would be the only municipality in North America to have a by-law of this nature.

In 2007, Toronto Building and City Planning reported to this committee providing an overview of the technical research completed for Toronto Building to provide design requirements for a Toronto green roof standard for renovation and new construction of residential, industrial, commercial and institutional buildings. Due to cost containment, further development and public consultations on the proposed By-law were delayed until this year.

This green roof by-law will be an integral element in the implementation of the City's Climate Change and Clean Air Action Plan and in the implementation of the Toronto Green Standard (formerly the Toronto Green Development Standard). Toronto will be the only city in North America with a by-law that both requires green roofs and establishes the construction standards they must meet.

Background Information

By-law to Require and Govern the Construction of Green Roofs in Toronto
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16784.pdf>)

Attachment

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-17247.pdf>

PG20.8	ACTION			Ward: All
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Eco-Roof Incentive Program

Staff Presentation

(October 30, 2008) Report from Director, Toronto Environment Office

Recommendations

The Director of the Toronto Environment Office recommends that:

1. The terms of reference set out in Appendix I to this report be adopted as the selection criteria for the Eco-Roof Incentive Program.
2. The Director of the Toronto Environment Office be authorized to award funds under the Eco-Roofs Incentive Program according to the terms of reference set out in Appendix I.
3. For the purposes of the Eco-Roof Incentive Program, a financial incentive of:
 - a. \$50.00 per square metre of green roof installed, be paid to eligible industrial, commercial and institutional property owners as per the terms of reference set out in Attachment I to this report, to a maximum of \$100,000 per award; and
 - b. \$2.00 - \$5.00 per square metre of cool roof installed, be paid to eligible industrial, commercial and institutional property owners as per the terms of reference set out in Attachment I to this report, to a maximum of \$50,000 per award.
4. The Director of the Toronto Environment Office provide an annual report to the Executive Committee on the status of the Eco-Roof Incentive Program and any proposed refinements to the incentives and program terms of reference.

Financial Impact

Initial funding was approved in the 2008 Climate Change Capital Budget for the Toronto Environment Office in CCL001-02 for the amount of \$200,000 for 2008 and \$800,000 has been included as part of the 2009 Toronto Environment Office Operating Budget Submission. Additional funding of \$200,000 has been included in Toronto Water's 2009 Capital Budget Submission to continue with the incentive program for green roofs, in Capital Account CWW475-01. Toronto Water may identify additional funds for the program in its Capital Budget submissions for 2010-2012. Funding from the Toronto Environment Office for 2010-2012 will be submitted as part of future year Operating Submissions. A total of \$2.4 million for 2009-2012 has been committed for the Eco-Roof Program in the Environment Protection Reserve.

From the program budget, \$70,000 will be drawn per year to fund a project administrator position (Research Analyst 2 level) for the years 2009-2012.

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

Summary

The purpose of the Eco-Roof program is to provide incentives to commercial, industrial and institutional (ICI) property owners so that Toronto's building stock becomes more sustainable and better adapted to climate change. The program is intended to complement the proposed Toronto Green Roof Bylaw and the Green Standard (formerly the "Toronto Green Development Standard") by encouraging owners to take advantage of their roof space. An "eco-roof" would include green roofs that support vegetation and cool roofs that reflect the sun's thermal energy.

Direction to establish the program comes from the 2007 Climate Change, Clean Air and Sustainable Energy Action Plan. The program builds on Toronto's Green Roof Strategy adopted in 2006 and the 2008 Climate Change Adaptation Strategy by taking increased action on storm water management and urban heat island mitigation.

The Eco-Roof program would provide incentives for the retrofit of ICI buildings in Toronto's designated employment areas. On a one year pilot basis, the program would also provide incentives for new large ICI buildings city-wide that are subject to the proposed Green Roof By-law requirements. The program would provide incentives of \$50 / square metre of green roof up to \$100,000 per award and \$2-\$5 / square metre of cool roof up to \$50,000 per award. Initial funding for Eco-Roofs was approved in 2007, totalling \$2.4 million over 5 years. Additional funding of \$200,000 per year would be provided by Toronto Water to be specifically allocated to green roof projects.

This report recommends terms of reference for the incentive program, including environmental performance, eligibility criteria and administration details. The incentive amounts and program terms would be reviewed annually.

Background Information

Eco-Roof Incentive Program

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16869.pdf>)

PG20.9	Information			Ward: All
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Correspondence from Industry Canada on the City of Toronto Telecommunication Tower Protocol

(October 21, 2008) Report from Chief Planner and Executive Director, City Planning

Summary

This report forwards correspondence received from Industry Canada, commenting on the City's Telecommunications Protocol for the installation of new cellular telephone towers. The report also provides an internet link to a list of existing cellular towers in the City.

Background Information

Correspondence from Industry Canada on the City of Toronto Telecommunication Tower Protocol

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16558.pdf>

PG20.10	Information			Ward: All
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Legislative Changes Regarding Section 37/45 Community Benefits in Ontario Municipal Board Decisions

(October 21, 2008) Report from Chief Planner and Executive Director, City Planning

Summary

City Planning staff consulted closely with Legal Services staff in the preparation of this report. Legislative changes that would mandate the use of Section 37 in appeals to the Ontario Municipal Board of rezoning applications involving increased density and/or height would offend principles of natural justice. Such legislative changes would inappropriately fetter the independence, objectivity and jurisdiction of the Ontario Municipal Board, and result in unfairness to parties involved in the appeal. Consequently, no recommendation is put forward and this report is for information only.

Background Information

Legislative Changes Regarding Section 37/45 Community Benefits in Ontario Municipal Board Decisions

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16560.pdf>

PG20.11	Information			Ward: All
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Extending Zoning and Licensing of Rooming Houses

(October 28, 2008) Report from Chief Planner and Executive Director

Summary

Information has been requested from City Planning concerning the feasibility of extending zoning to permit rooming houses throughout the City, and extending the licensing system for rooming houses. This report provides some of that information in the context of the upcoming draft, harmonized zoning by-law from City Planning and the upcoming Affordable Housing Framework recommendations to the Affordable Housing Committee. Both initiatives will be considering rooming house provisions.

There is an important and complex intersection between zoning regulations and licensing requirements and processes for rooming houses. Staff consideration on extending zoning and licensing provisions for rooming houses will need to involve at least the following divisions: City Planning, Shelter Support and Housing Administration, Affordable Housing Office, City Solicitor, Municipal Licensing and Standards, and Public Health. Such consideration would best commence once the harmonized zoning by-law and the Ten Year Affordable Housing Framework are completed.

Background Information

Extending Zoning and Licensing of Rooming Houses

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16870.pdf>

**(Deferred from July 2, 2008 PG17.6, September 10, 2008 PG18.6 and
October 14, 2008 - 2008.PG19.8)**

PG20.12	ACTION			Ward: 12
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Supplementary Report: 103-111 Ingram Drive – Site Plan Approval and Building Permit History

(September 26, 2008) Report from Chief Building Official and Executive Director, Toronto Building

Summary

This report responds to the Planning and Growth Management Committee's request at its meeting of September 10, 2008 for a supplementary information staff report to clarify several issues, identified by the Committee, with respect to 103 Ingram Drive and 111 Ingram Drive. The report (PG 18.6) considered by Committee on September 10, 2008 provided information on the Site Plan Approval application activity and building permit application activity for the structures and trailers, all relating to the existing businesses on the property municipally identified as 103 Ingram Drive (also referred to as 103-111 Ingram Drive).

Background Information

103, 111 Ingram Drive Supplementary Report

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16354.pdf>

PG20.13	ACTION			
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Review of Site and Area Specific Policy No. 154

(October 16, 2008) Letter from Councillor Paula Fletcher, Ward 30 Toronto-Danforth

Summary

Requesting that City Planning staff review Site and Area Specific Policy No. 154 of the Official Plan to ensure it meets City Council's objectives for lands subject to this policy and report to Planning and Growth Management Committee on the results and recommendations from that review.

Background Information

Review of Site and Area Specific Policy No. 154

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16367.pdf>

PG20.14	Information			Ward: All
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Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update #19

(October 24, 2008) Letter from General Secretary, Toronto Transit Commission

Summary

At its meeting on Thursday, October 23, 2008, the Commission received for information the updated Due Diligence Checklist relating to the Russell Hill Subway Train Accident of August 11, 1995, which provides a status report on the progress toward closing the Coroner's

Jury Recommendations and the TTC's Internal Team Recommendations, and forwarded it to Council for information.

Background Information

Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update #19

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16689.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16690.pdf>)