

## Planning and Growth Management Committee

<b>Meeting No.</b>	14	<b>Contact</b>	Merle MacDonald, Committee Administrator
<b>Meeting Date</b>	Thursday, April 10, 2008	<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		

### Attendance

Members of the Planning and Growth Management Committee were present for some or all of the time periods indicated under the section headed “Meeting Sessions”, which appears at the end of the Minutes.

Councillor Norman Kelly, Chair	X
Councillor Peter Milczyn, Vice-Chair	X
Councillor Frank Di Giorgio	X
Councillor John Filion	X
Councillor Karen Stintz	X
Councillor Adam Vaughan	X

Also Present:

Councillor Mike Del Grande	Councillor Frances Nunziata
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### Confirmation of Minutes

On motion by Councillor Stintz, the Minutes of the meeting of the Planning and Growth Management Committee held on February 13, 2008 were confirmed.

<b>PG14.1</b>	ACTION	Adopted		Ward: 31, 34
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### Extension of Interim Control By-law - Lands within the O'Connor/Bermondsey Business Area

(April 4, 2008) Report from Acting Chief Planner and Executive Director, City Planning Division

## **Recommendations**

The City Planning Division recommends that:

1. City Council enact a By-law to extend the term of the Interim Control By-law No. 490-2007, to September 26, 2008, in accordance with the draft By-law attached as Attachment 1; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.

## **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 year. The Interim Control By-law will expire on May 23, 2008.

This report supersedes the report dated March 25, 2008 which is before Planning and Growth Management Committee on April 10, 2008.

This report recommends that the Interim Control By-law be extended to September 26, 2008 to allow the City Clerks Division to give proper Notice of Public Meeting under the requirements of the Planning Act.

## **Committee Recommendations**

On motion by Councillor Stintz, the Planning and Growth Management Committee recommended that:

1. City Council enact a By-law to extend the term of the Interim Control By-law No. 490-2007, to September 26, 2008, in accordance with the draft By-law attached as Attachment 1.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.

## **Decision Advice and Other Information**

On motion by Councillor Stintz, the Planning and Growth Management Committee:

1. cancelled the public meeting scheduled on April 10, 2008 regarding the final report

dated March 25, 2008 from the Acting Chief Planner and Executive Director, City Planning due to improper notice; and

2. advised that a new notice will be given to hold a public meeting on May 8, 2008, under the requirements of the Planning Act.

### **Links to Background Information**

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

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12052.pdf>)

March 25, 2008 Report - O'Connor/Bermondsey Business Area Study

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12111.pdf>)

PG14.2	ACTION	Referred		Ward: All
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### **Operation of the Committee of Adjustment**

(March 6, 2008) Report from Acting Chief Planner and Executive Director, City Planning Division

### **Recommendations**

The City Planning Division recommends that:

1. City Planning staff report to Planning and Growth Management Committee on trends, identified during the review of variance applications conducted by the new Zoning Review Team, and that those and other trends be identified in a Committee of Adjustment Activity Report, by the end of 2008.

### **Financial Impact**

This report has no financial implications.

### **Summary**

This report addresses issues raised by Planning and Growth Management Committee at its meeting on November 1, 2007, (PG10.6), in response to the report dated October 16, 2007, regarding policy changes pertaining to the operation of the Committee of Adjustment. More specifically, the report addresses improving the planning process, writing of reports and the impact on appeals, reducing the backlog of applications, the process so that Committee decisions are defended without need for a motion from a Councillor, the possibility of creating a “Panel” to hear major projects which have received prior approval and are requesting changes, and a process for reporting out on a quarterly basis on Committee of Adjustment decisions in order to highlight emerging trends and challenges.

The Committee of Adjustment (CofA) for the City of Toronto has been through multiple changes since amalgamation, particularly as it relates to structural organization, Panel member composition and staff turnover. Notwithstanding these changes, the administrative process

followed by the four service districts which deal with Committee of Adjustment applications has been, for the most part, harmonized. The Committee of Adjustment members appointed for the 2006-2010 term of City Council began holding hearings in April, 2007. Efforts are being directed toward ensuring that new members are trained to provide good planning decisions which balance the interests of all stakeholders in the process. City Planning staff will continue to provide professional input, advice and opinions where warranted, based upon a critical review of each development application. If required, a staff report will be prepared and subsequently defended at the Ontario Municipal Board, by City Planning staff. It is the combination of having well trained Committee members who recognize an application which is contrary to the City's planning policies and the professional planning input from staff, which together can improve the planning process, reduce appeals, and result in balanced decisions which have a positive contribution toward city building in our neighbourhoods.

### **Decision Advice and Other Information**

The Planning and Growth Management Committee:

1. adopted the following recommendations, in principle, and referred them to staff for a report to the Committee as soon as possible on the implementation plan and financial implications:
  - a. Planning staff write reports on all applications for severance and associated applications;
  - b. in written reports, Planning staff bear in mind that the City's by-laws and existing character of neighbourhoods should be maintained unless there are compelling reasons to do otherwise;
  - c. Planning Staff notify Councillors of all severance applications at the time they are received;
  - d. Planning staff review all instances in which the Committee of Adjustment has rejected an application to determine whether City staff can attend the hearing in defence of the Committee decision; and
  - e. Committee of Adjustment fees be increased to cover any increased costs, and that staff report on this matter to the Planning and Growth Management Committee;

### **(Motion by Councillor Filion)**

2. requested that the following matters be part of the report requested above:
  - a. where a case history, from a planning perspective, exists on a property, the Planning Department attach the relevant decision documents as part of the application;
  - b. Councillors receive electronic notification of all decisions of the local Committee of Adjustment; and

- c. Councillors receive earlier notification of the Committee of Adjustment applications;

**(Motion by Councillor Vaughan)**

- 3. requested the Acting Chief Planner and Executive Director of City Planning to report to the Committee on the establishment of a reserve fund to hire planners to defend the Committee of Adjustment decisions at the OMB when requested by either the Committee of Adjustment, the Planning staff, or the local Councillor; and

**(Motion by Councillor Stintz)**

- 4. requested the Acting Chief Planner and Executive Director of City Planning to report to the Committee on the following as they relate to the Committee of Adjustment:
  - a. historical background or relevant information;
  - b. heritage information;
  - c. timely reporting to members of Council;
  - d. timely notification to Councillors when applications go to the Board on appeal; and
  - e. in consultation with the Chief Building Official and Executive Director of Toronto Building, and the City Solicitor, on whether the Committee of Adjustment should impose conditions requiring an applicant to provide relief to an abutting owner where the proposed construction would adversely affect the operation of the abutting owner's chimney or furnace.

**(Motion by Councillor Kelly on behalf of Councillor Nunziata)**

**Motions**

*Refer Item motion moved by Councillor Norman Kelly (Lost)*

That Councillor Filion's Motion 1 be referred to the Acting Chief Planner and Executive Director, City Planning, for a report on the implementation plan and financial implications.

**Links to Background Information**

Operation of the Committee of Adjustment

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11806.pdf>

PG14.3	Information	Deferred		Ward: All
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**Intensification of Mixed Use Sites – Development Process**

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

### **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.

### **Decision Advice and Other Information**

On motion by Councillor Di Giorgio, the Planning and Growth Management Committee deferred the item until its meeting on May 8, 2008, in order that notice be given for Committee questions and debate.

### **Links to Background Information**

Intensification of Mixed Use Sites - Development Process

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11807.pdf>)

PG14.4	Information	Received		
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### **Building Permit Fees 2007 Annual Report**

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

### **Financial Impact**

The recommendation will have no financial impact beyond what has already been approved in the 2007 budget.

### **Summary**

The “Building Permit Fees 2007 Annual Report” for the 12-month period ending December 31, 2007 is attached to this report.

Under the Building Code Statute Law Amendment Act, the City is required to report on the 2007 budget year outlining how new revenues collected have been used to cover the direct and indirect costs of administering and enforcing the Building Code Act and the Building Code.

### **Decision Advice and Other Information**

On motion by Councillor Kelly, the Planning and Growth Management Committee received the item for information.

**Links to Background Information**

Building Permit Fees 2007 Annual Report

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11804.pdf>

PG14.5	ACTION	Deferred		Ward: All
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**Toronto-York Spadina Subway Extension - Project Update****(Deferred from February 13, 2008 - PG13.12)**

(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.

**Decision Advice and Other Information**

On motion by Councillor Kelly, the Planning and Growth Management Committee deferred the item until its meeting on May 8, 2008 meeting and invited staff of the Toronto Transit Commission to attend the meeting to answer questions on this item.

**Links to Background Information**

Toronto-York Spadina Subway Extension Project Update

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11375.pdf>**5a 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.

PG14.6	ACTION	Referred		Ward: All
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**Pay for Visitor Parking at Multi-Residential Rental Properties**

(February 25, 2008) Letter from Councillor Anthony Perruzza, Chair, Tenant Defence Sub-Committee

## Recommendations

That the matter of charging for visitor parking at multi-residential rental properties be considered as a priority during the review of the new Zoning By-law.

## Summary

Request of the Tenant Defence Sub-Committee regarding the need for addressing the charging for visitor parking at multi-residential rental properties in the harmonized zoning by-law, and to request that this matter be a priority for the Planning and Growth Management Committee during the review of the new zoning by-law.

## Decision Advice and Other Information

On motion by Councillor Di Giorgio, the Planning and Growth Management Committee referred the item to the Acting Chief Planner and Executive Director of City Planning for consideration during the review of the Zoning By-law.

## Links to Background Information

Pay for Visitor Parking at Multi-Residential Rental Properties  
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11789.pdf>

PG14.7	ACTION	Referred		
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## Site Plans for Car Lots

(March 25, 2008) Letter from Councillor Howard Moscoe, Ward 15 Eglinton-Lawrence

## Recommendations

1. The Planning Department undertake a study of existing car dealerships including a review of their original site plans and the degree which the site plan conditions have been effective.
2. Planning and Urban Design develop enhanced planning standards for automobile dealerships that will not only ensure that they will start as “clean and beautiful” but also remain so.
3. That staff develop an enforcement protocol that includes periodic follow-up visits to dealerships and penalties and remedies for their violations.

## Summary

Car dealerships in most instances are a blight on a neighbourhood. They compete with each other to draw attention to their business. They spread the area used for the display of vehicles beyond their boundaries into the public realm and constantly seek innovative ways to extend that display space.

All dealerships go through a site plan planning process. Site plan functions to ensure a “clean



and beautiful” site from the enhancement of the community. The majority of dealerships in this city do not enhance the community and are in violation of their original site plan agreements.

There appears to be no effective manner of ensuring that auto dealerships comply with site plan conditions. That suggests that the city needs to review the site plan conditions for automobile dealerships and create site standards that are more difficult to violate.

In addition it is incumbent on us to ensure that there is adequate follow up provisions so that the original site plan conditions are observed and respected. The system appears to have failed in that regard.

### **Decision Advice and Other Information**

On motion by Councillor Di Giorgio, the Planning and Growth Management Committee referred the item to the Acting Chief Planner and Executive Director of City Planning for consideration and report as soon as possible.

### **Links to Background Information**

Site Plans for Car Lots

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11796.pdf>)

PG14.8	ACTION	Referred		
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### **Water Outflow Amnesty - Report Requested**

(March 31, 2008) Letter from Councillor A.A. Heaps, Scarborough Southwest, Ward 35

### **Summary**

Report request from Councillor Heaps regarding the cost and offsets of a free home plumbing inspection program for residential owners engaged in minor 'home plumbing' projects in the identified high risk areas.

### **Decision Advice and Other Information**

On motion by Councillor Kelly, the Planning and Growth Management Committee requested the General Manager of Toronto Water, in consultation with the Chief Building Official, to report to the Committee as soon as possible on the cost and offsets of a free home plumbing inspection program for residential owners engaged in minor 'home plumbing' projects in the identified high risk areas.

### **Links to Background Information**

Letter from Councillor Heaps

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-12106.pdf>)

**Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-04-10	Morning	9:40 AM	11:20 AM	Public

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Chair