
Planning and Growth Management Committee

Meeting No.	25	Contact	Merle MacDonald, Committee Administrator
Meeting Date	Wednesday, May 6, 2009	Phone	416-392-7340
Start Time	9:30 AM	E-mail	pgmc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Norman Kelly

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

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Declarations of Interest under the Municipal Conflict of Interest Act**Confirmation of Minutes - April 14, 2009****Speakers/Presentations – A Complete list will be distributed at the meeting****Communications/Reports**

PG25.1	Presentation	9:45 AM		
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GO Transit 10 Year Plan**Summary**

Presentation by Gary McNeil, Managing Director, GO Transit

PG25.2	ACTION	10:00 AM		Ward: All
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City-Wide Official Plan Amendment Regarding the Growth Plan for the Greater Golden Horseshoe***Statutory - Planning Act, RSO 1990*****Origin**

(April 17, 2009) Report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that Council:

1. Amend the Official Plan substantially in accordance with the draft official plan amendment attached as Attachment 1.
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment as may be required.

Summary

On June 16, 2006 the Provincial Growth Plan for the Greater Golden Horseshoe came into effect under the authority of the Places to Grow Act, 2005 (the Act). Under the Act, municipalities within the Greater Golden Horseshoe are required to bring their respective Official Plans into conformity with the Growth Plan by June 2009. In order to bring the Official Plan into conformity with the Growth Plan an Official Plan Amendment is required to address the areas of non-conformity identified by the Province.

This report recommends an amendment to the Official Plan to bring the Official Plan into conformity with the Provincial Growth Plan.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Growth Plan for Greater Golden Horseshoe

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20553.pdf>)

(Deferred from April 14, 2009 - 2009.PG24.2)

PG25.3	ACTION	10:00 AM		Ward: All
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By-law to Require and Govern the Construction of Green Roofs in Toronto

Presentation

Public Meeting

Origin

(March 27, 2009) Report from Chief Building Official and Executive Director, Toronto Building and Chief Planner and Executive Director, City Planning

Recommendations

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

1. The Committee defer consideration of the Green Roof By-law to the May 6, 2009 meeting of the Planning and Growth Management Committee.
2. The Committee schedule a public meeting to be held during the May 6, 2009 meeting of the Planning and Growth Management Committee to consider the following recommendations:
 - a. City Council amend the City of Toronto Municipal Code substantially in accordance with the draft bill attached as Attachment 1 to this report, to require the construction of green roofs, such amendment to come into effect on January 31, 2010.
 - b. City Council amend the City of Toronto Municipal Code substantially in accordance with the draft bill attached as Attachment 1 to this report, to govern the construction of green roofs, such amendment to come into effect on January 31, 2010.

- c. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft bill as may be required, in consultation with the Chief Planner and the Chief Building Official.
- d. City Council delegate authority to the Chief Planner and Executive Director, City Planning to approve variances to the Green Roof By-law.
- e. City Council authorize that cash in-lieu of a green roof required under the Green Roof By-law be directed to the Eco-Roof Incentive Program to be used to green roofs on existing buildings.
- f. City Council request that the Province amend the regulation under the Building Code Act, 1992 to include as applicable law a by-law made under section 108 of the City of Toronto Act, 2006, and that the Province also be requested to make such amendment prior to January 31, 2010 when the by-law contemplated in this report will come into effect.
- g. City Council request that the Province provide additional money under the funding formula for the construction of new schools in Toronto.
- h. City Council direct the Chief Planner and Executive Director of City Planning and the Chief Building Official, Executive Director, Toronto Building to undertake a review of the Toronto Green Roof By-law by January 31, 2012.
- i. City Council direct the Chief Building Official to bring forward any proposed technical updates to the Toronto Green Roof Construction Standard following the American National Standards Institute adoption of fire and wind uplift standards and after consultation with the Technical Advisory Group.
- j. City Council adopt amendments to Chapter 363 of the Municipal Code to clarify that the building permit classification “Re-Roofing with structural work, raise roof structure” would also apply to stand alone modifications to create a green roof, such amendment to come into effect upon adoption of the Toronto Green Roof By-law.
- k. City Council authorize the City Solicitor be authorized to introduce the necessary Bill in Council to give effect thereto.

Summary

This report recommends that consideration of the Green Roof By-law be deferred to a public meeting scheduled for the May 6, 2009 meeting of the Planning and Growth Management Committee.

The proposed Toronto Green Roof By-law, enacted under the authority of Section 108 of the City of Toronto Act (COTA) requires green roofs on certain types of new buildings and regulates the design and construction of green roofs in Toronto. Toronto will become the only city in North America with a By-law that both requires green roofs and establishes the construction standards for them.

In October 2008, Toronto Building and City Planning reported on a draft proposal to require green roofs and to provide design requirements for green roofs and recommended a focused public consultation. This report provides an update on the public consultations that took place in November and December 2008 and February 2009. The results of the consultation process are reflected in the content of the draft Green Roof By-law for the City of Toronto and the proposed recommendations for consideration in this report.

Financial Impact

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

Implementation of the recommendations contained in this report will not require any additional staff in Toronto Building. This report proposes no additional fees or increases to fees for building permits to construct green roofs. Under the 2009 Toronto Building Fee Schedule, the construction of a stand alone green roof is considered "Re-roofing with structural work, raise roof structure". This 2009 fee is assessed at \$4.82/m². The report proposes to clarify that this classification of building permits would also apply to stand alone modifications to create a green roof.

Background Information

Construction of Green Roofs

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20562.pdf>

Attach 1 Green Roofs

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20563.pdf>

Attach 2 Green Roofs

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20564.pdf>

Communications

(April 8, 2009) Member Motion from Councillor J. Pantalone (PG.Main.PG25.3.1)

(April 13, 2009) e-mail from Paula J. Tenuta, MCIP, RPP, Director, Municipal Government Relations (PG.Main.PG25.3.2)

(April 13, 2009) e-mail from Steven W. Peck, President, Green Roofs for Healthy Cities - North America Inc. (PG.Main.PG25.3.3)

3a Supplementary report: Green Roof By-law Communications

Origin

(April 22, 2009) Report from Chief Building Official and Executive Director, Toronto Building and Chief Planner and Executive Director, City Planning

Recommendations

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

1. Based on the review of written communications submitted to the Planning and Growth

Management Committee at its meeting on April 14, 2009, that the Committee consider amending the draft Green Roof By-law through one or all of the following:

- a. Requiring industrial buildings to include a green roof equal to 10 percent of the available roof space to a maximum of 2,000 m².
- b. Requiring non-profit housing to be subject to the same requirements as other residential buildings.
- c. Requiring Separate and Public Schools to be subject to the same requirements as non-residential buildings.
- d. Amending coverage and threshold requirements to include new developments with a gross floor area between 2,000 m² and 4,999 m² which would be required to provide a minimum coverage of 20 percent of the available roof space.
- e. Amending minimum height requirements for residential buildings to include new developments of a height greater than 20 metres.
- f. Removing the exemption for non-vegetative border from the calculation of available roof space.

Summary

In considering the March 27, 2009 report "Toronto Green Roof By-law" at its meeting of April 14, 2009, the Planning and Growth Management Committee directed the Chief Planner and Chief Building Official to consider and report on all written communications received on the Green Roof By-law at its meeting including the letter from the Deputy Mayor.

The revisions to the By-law proposed in reviewing this supplementary report would expand the scope of the draft Green Roof By-law to include a greater number of smaller developments city-wide. The recommendations considered include: removal of all exemptions for industrial, school and non-profit housing use buildings; separate requirements for green roofs on industrial buildings; and the decrease of the gross floor area (GFA) threshold to include smaller development.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the Toronto Building and City Planning base budgets.

Background Information

Green Roof By-law Supplementary Report

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20605.pdf>

PG25.4	ACTION			Ward: All
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Settlement of Appeal of Official Plan Amendment No. 38, Authorizing Section 37 Funding of Heritage Conservation District Studies

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

Origin

(April 17, 2009) Report from Chief Planner and Executive Director, City Planning and City Solicitor

Recommendations

City Planning Division and the City Solicitor recommend that:

1. City Council adopt the recommendations in Confidential Attachment 1.
2. City Council authorize the public release of the confidential instructions in Attachment 1, at the end of the Council meeting.

Summary

This report recommends modifications to Official Plan Amendment (OPA) No. 38, which authorized the funding of Heritage Conservation District studies as an eligible community benefit under Section 37 of the Planning Act. Approval of these modifications would facilitate a settlement of the appeal to the Ontario Municipal Board (OMB) of the OPA by the Building Industry and Land Development (BILD) Association.

If Council adopts the recommended modifications as set out in confidential Attachment 1 to this report, they would be presented by the City Solicitor to the OMB to settle the appeal.

Financial Impact

The recommendations in this report will have no financial impact. Adoption of the recommendations will very likely eliminate the need for a full hearing of these matters.

Background Information

Settlement of Appeal Section 37

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20603.pdf>

PG25.5	ACTION			Ward: 25, 26, 34
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Official Plan Amendment for Don Mills Road and Overlea Boulevard – Map 3 Right-of-Way – Request for Direction

Origin

(April 20, 2009) Report from Chief Planner and Executive Director, City Planning

Recommendations

The City Planning Division recommends that:

1. Staff be directed to prepare an Official Plan Amendment to amend Map 3 to designate the planned right-of-way to 36 metres for Don Mills Road from Kern Road to Overlea Boulevard and Overlea Boulevard from Don Mills Road to Millwood Road.
2. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act and to be brought forward with the results of the Transit Project Assessment Process for the Don Mills LRT project to the same meeting of the Planning and Growth Management Committee.

Summary

On March 21, 2007, the Toronto Transit Commission endorsed a light rail transit plan for the City of Toronto which included seven projects across the City. Amongst them was the Don Mills route from Steeles Avenue to Bloor/Danforth subway. A preliminary planning study is currently underway that will lead to a Transit Project Assessment Process for the project.

The City's Official Plan Map 3 Right-of-Way Widths Associated with Existing Major Streets designates the right-of-way for segments of Don Mills Road from Kern Road to Barber Greene Road/Greenbelt Drive and Barber Greene Road/Greenbelt Drive to Overlea Boulevard planned for 30 and 33 metres respectively and Overlea Boulevard as 33 metres.

The purpose of this report is to seek Council's authorization for the preparation of a City initiated Official Plan Amendment to amend Map 3 of the Official Plan in order to designate the right-of way for Don Mills Road from Kern Road to Overlea Boulevard and Overlea Boulevard from Don Mills Road to Millwood Road to 36 metres.

The official plan amendment would enable the protection and development of a planned right-of-way for a 36 metre corridor associated with the Don Mills Transit City LRT line.

Financial Impact

The recommendations in this report have no financial implications.

Background Information

Don Mills Rd and Overlea Blvd Map 3 Right of Way
<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20551.pdf>

PG25.6	ACTION			Ward: All
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Delegation of Authority to the Chief Planner

Origin

(April 20, 2009) Report from Chief Planner and Executive Director, City Planning

Recommendations

The Chief Planner and Executive Director, City Planning and City Solicitor recommend that:

1. City Council enact the By-law at Attachment 1 to amend the Municipal Code Chapter 415, Development of Land, to delegate certain powers and authority to the Chief Planner.

Summary

In 2000 City Council delegated decision-making authority for certain development applications to the Chief Planner and Executive Director, City Planning. The Chief Planner has exercised the delegated authority successfully. We have identified specific instances where further delegation would result in improved efficiency in processing applications. Substantive decisions on development would remain with City Council.

This report recommends that a new delegation by-law be passed to enhance the Chief Planner's existing delegated authority.

Financial Impact

This report has no financial impact.

Background Information

Delegation of Authority to the Chief Planner

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20565.pdf>)

PG25.7	Information			Ward: All
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Official Plan Amendment: Additions to the List of Potential Heritage Conservation District Study Areas Eligible for Section 37 Community Benefit

Origin

(April 8, 2009) Report from Chief Planner and Executive Director, City Planning

Summary

The Official Plan was amended in 2008 to allow Section 37 monies to fund heritage

conservation districts studies in areas of the City considered to have potential for study as heritage conservation district. As a result, Councillor Howard Moscoe has requested that Heritage Preservation Services (HPS) Staff consider the additional areas of Elia, including Black Creek Pioneer Village and the Parson's archaeological site.

This report provides a desk-top analysis of Elia, including Black Creek Pioneer Village and the Parson's archaeological site. The adoption of this additional area would require an Official Plan Amendment (OPA). This report also outlines three additional areas that require analysis and a plan to include all those new qualifying areas on the map under a single OPA process.

Financial Impact

There is no immediate financial impact arising from this report. There is, however, a potential financial impact associated with an OPA for the potential areas listed in this report. Any financial impacts would relate to advertising and hosting costs associated with an OPA public meeting.

Background Information

Section 37 Community Benefit

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20552.pdf>

**(Deferred from April 14, 2009 - PG24.11) (Referred from City Council on
January 27 and 28, 2009 - MM30.7)**

PG25.8	ACTION			Ward: All
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Developing a “Made in Toronto” Building Code

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Palacio, seconded by Councillor Moscoe, recommends:

1. That the City Manager and the Executive Director and Chief Building Official, Toronto Building, be requested to report to the Planning and Growth Management Committee on the feasibility of creating a protocol or mechanism for Toronto-specific adjustments to the Ontario Building Code, including through future amendments to the City of Toronto Act.

Summary

Despite the significant legislative independence and latitude gained by the City of Toronto as a result of the new City of Toronto Act, there remain some areas in which the City of Toronto should be able to exercise more autonomy.

One of these areas is the Ontario Building Code. As by far the largest urban area in Ontario,

the City of Toronto faces unique challenges and has unique opportunities (such as the opportunities and challenges that result from density) that can only be realized through certain Building Code provisions tailored to Toronto's needs. Greener building standards and code provisions that deal with reducing noise between semi-detached buildings and row houses are just some examples of the many areas that Toronto residents' interests and balancing of priorities may not always align entirely with other municipalities in Ontario.

A mechanism for City Council to amend by by-law or recommend to the Minister, Toronto-specific Building Code amendments and adjustments would be of great benefit for addressing these unique challenges and seizing these opportunities.

(Submitted to City Council on January 27 and 28, 2009 as MM30.7)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.7
<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20526.pdf>

PG25.9	ACTION			Ward: 35, 36, 37, 38, 39, 40, 41, 42, 43, 44
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Scarborough Community Council Item SC24.27 - Illegal Rooming Houses and Second Suites

Origin

(March 31, 2009) Letter from Scarborough Community Council

Recommendations

The Scarborough Community Council recommended to the Planning and Growth Management Committee that:

1. When Municipal Licensing and Standards has an open file on a suspected rooming house, the address should be forwarded to Fire Services for inspection.
2. City Council consider a special levy for second suites.

Summary

The Scarborough Community Council on March 26, 2009, considered a presentation by the Scarborough Association of Seniors on the issue of illegal rooming houses and renting of second suites in residential dwellings.

Background Information

Letter from Scarborough Community Council
<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20392.pdf>