

Planning and Growth Management Committee

Meeting No.	23	Contact	Merle MacDonald, Committee Administrator
Meeting Date	Wednesday, February 4, 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

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the Minutes for the official record.

How to Read the Decision Document:

- *Recommendations of the Committee to City Council appear after the item heading.*
- *Other action taken by the Committee on its own authority, which does not require Council's approval, is listed in the decision document under the heading "Decision Advice and Other Information".*
- *Declarations of Interest, if any, appear at the end of an item.*

PG23.1	ACTION	Amended		Ward: 16, 22, 25
--------	--------	---------	--	------------------

City-Initiated Official Plan and Zoning By-law Amendments, Yonge-Eglinton Centre Focused Review - Final Report

Statutory - Planning Act, RSO 1990

Committee Recommendations

The Planning and Growth Management Committee recommends that:

1. City Council amend the Official Plan and the Yonge-Eglinton Secondary Plan substantially in accordance with the draft official plan amendment submitted with this report as Attachment 1.
2. City Council amend By-law 438-86 for the southwest quadrant of the Yonge and Eglinton intersection substantially in accordance with the draft zoning by-law amendment submitted with this report as Attachment 2.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendments as may be required.
4. City Council adopt the Yonge-Eglinton Centre Urban Design Guidelines shown in Attachment 3.
5. City Council adopt a By-law to amend Schedule 1 of the City-wide Community Improvement Plan for Brownfield Remediation and Development of Prescribed Employment Uses (By-law 516-2008) by including the Yonge-Eglinton Centre as an area eligible for financial incentives for major office buildings, as shown in Attachment 4.
6. City Council direct the General Manager of Parks, Forestry and Recreation, in consultation with TTC, Facilities and Real Estate, City Planning staff, and the local councillors for Wards 22, 16 and 25, to report back to City Council in the third quarter of 2009 with an implementation strategy and possible funding sources for the proposed public park within the southwest quadrant of the Yonge-Eglinton intersection.
7. City Council direct the Chief Planner and Executive Director in consultation with the General Managers of Transportation Services and Economic Development, Culture and Tourism, Urban Forestry and TTC staff to prepare a Streetscape Plan focused on the Yonge-Eglinton intersection, in consultation with the local councillors for Wards 22, 16 and 25, and report back to City Council with a strategy to implement the Streetscape Plan together with estimated costs and possible funding sources, including partnerships with the private sector.
8. City Council direct Transportation Services, the Co-ordinated Street Furniture Program to consider Yonge-Eglinton as a priority area for the placement of street furniture in Wards 22, 16, and 25, in coordination with Recommendation 7.
9. City Council direct planning staff to undertake consultations with the local community, in consultation with Councillors for Wards 22, 16, and 25, with regards to the Yonge-Eglinton Urban Growth Centre (UGC) in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, and report back on the results of the consultations and any amendments necessary to bring the Official Plan in conformity to the provincial Growth Plan.
10. City Council approve that the City-owned land in this proposed rezoning shall include the construction of affordable housing on site consistent with the target set out in the Official Plan as part of any redevelopment, and that if the land were sold to a third party, this obligation be registered on title.

Decision Advice and Other Information

Joe Nanos, Manager, Community Planning and James Parakh, Senior Planner Urban Design, gave a presentation to the Planning and Growth Management Committee on the City-Initiated Official Plan and Zoning By-law Amendments, Yonge-Eglinton Centre Focused Review - Final Report.

The Planning and Growth Management Committee:

1. held a public meeting on February 4, 2009, and notice was given in accordance with the Planning Act;
2. referred the following motion by Councillor Thompson to the Chief Planner and Executive Director of City Planning and the City Solicitor, for consideration and report to City Council on February 23, 2009.

1. That Section 1.4 Item 6 (a) and (b) of the draft Official Plan Amendment contained in the report (January 5, 2009) from the Chief Planner and Executive Director, City Planning, be amended to read as follows:

“6. Southwest quadrant of Yonge and Eglinton

On the lands shown as 6 on Map 21-1 the following additional policies shall apply:

- (a) new development shall include the implementation of a new public road extending east and south from Duplex Avenue to Berwick Avenue. Land dedications will be required where necessary to implement the new public road.
- (b) strata plans to limit height shall be utilized on city-owned lands to implement the objectives of this Plan.”

2. That the report (January 5, 2009) from the Chief Planner and Executive Director, City Planning, be amended by adding the following new Recommendations 10 and 11:
 - “10. City Council mandate that any Request for Proposals process for the redevelopment of the public lands in the southwest quadrant of Yonge-Eglinton Centre, to be undertaken by the City and/or Toronto Transit Commission, include as the principal development control mechanism in the Request for Proposals (apart from the Planning and Urban Design Guidelines for the quadrant) a stratified upper limit of the lands available for sale and/or lease and the Request for Proposals be consistent with the Official Plan, Yonge-Eglinton Secondary Plan; and
 11. Any Request for Proposals involving public lands in the southwest quadrant of the Yonge-Eglinton Centre provide for the appointment of a ‘Fairness Monitor’ acceptable to the City and Toronto Transit Commission.”

Origin

(January 5, 2009) Report from Chief Planner and Executive Director, City Planning

Summary

These City-initiated official plan and zoning by-law amendments are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This report recommends approval of amendments to the Official Plan, Yonge-Eglinton Secondary Plan, and By-law No. 438-86 to implement the results of the Yonge-Eglinton Centre Focused Review as shown in Attachments 1 and 2. The report also recommends adoption of Urban Design Guidelines and outlines implementation strategies to achieve, over time the revitalization of Yonge-Eglinton Centre with a particular emphasis on Mixed Use Area 'A' focused on the intersection of Yonge and Eglinton.

The recommendations contained in this report are the result of several years of consultation and collaboration with the local community, TTC, landowners, and other stakeholders.

As one of the City's four Centres, Yonge-Eglinton is a place with excellent transit accessibility where jobs, housing and services are concentrated in a dynamic mixed use setting. The Vision contained in this report sets out local goals and a development framework and recommends policies to promote a vibrant transit-based mixed use Centre which is compatible with surrounding established residential neighbourhoods.

This report recommends Schedule 1 of the City-Wide Community Improvement Plan be amended to include the Yonge-Eglinton Centre as an area eligible for financial incentives for major office buildings.

This report also recommends that planning staff be directed to undertake consultations with the local community with regards to the Yonge-Eglinton Urban Growth Centre (UGC) in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, and report back on the results of the consultations and any amendments necessary to bring the Official Plan in conformity with the provincial Growth Plan which stipulates in Policy 2.2.4.3 that "Municipalities will delineate the boundaries of urban growth centres in their official plans."

The proposed initiatives contained within this report support Council's focus on investment in quality of life, the desire to link public initiatives with private investment in order to stimulate employment and high quality development, and the need to strategically create opportunities that will act as catalysts to achieving the desired objectives for this transit-supportive area.

The implementation of the recommendations contained in this report set the stage for City building and economic revitalization at Yonge-Eglinton, including opportunities for investment in public transit infrastructure, major office space and employment, promoting sustainable green development on the under-utilized Eglinton TTC bus terminal lands, and improving the public realm and local amenities.

Background Information

Final Report Yonge-Eglinton Centre Focused Review

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18454.pdf>)

Attachment 3 Urban Design Guidelines

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18455.pdf>)

Communications

(January 23, 2009) e-mail from Andrew Vernon-Betts (PG.New.PG23.1.1)
 (February 2, 2009) e-mail from Bruce H. Engell, WeirFoulds LLP (PG.New.PG23.1.2)
 (February 3, 2009) e-mail from Blaine Fedson, Deacon, Spears, Fedson + Montizambert
 Barristers & Solicitors (PG.New.PG23.1.3)
 (February 3, 2009) e-mail from Mark Noskiewicz, Goodmans LLP (PG.New.PG23.1.4)
 (February 3, 2009) e-mail from George Milbrandt and Peter Baker, Co-Chairs,
 FoNTRA (PG.New.PG23.1.5)

PG23.2	ACTION	Adopted		Ward: 39
---------------	---------------	---------	--	----------

3101 Kennedy Road – Zoning Application – Refusal Report

Committee Recommendations

The Planning and Growth Management Committee recommends that:

1. City Council refuse the application in its current form as the proposal does not conform to the Official Plan, conflicts and does not conform with the Growth Plan for the Greater Golden Horseshoe and is inconsistent with the Provincial Policy Statement.
2. Should the applicant wish to reconsider the retail and service use components of their proposal, City staff and the applicant work together on a rezoning proposal which would conform and be consistent with the Official Plan and the Growth Plan and be consistent with the Provincial Policy Statement.

Origin

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

Summary

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the existing industrial zoning of the site to expand the range of permitted uses to include retail stores, restaurants, personal service shops, libraries, financial institutions and medical and dental offices. The uses would be contained within three proposed separate single storey buildings with 229 parking spaces at grade at 3101 Kennedy Road.

The proposal to permit a commercial shopping centre in an employment area does not conform to the Toronto Official Plan and the Province's Growth Plan for the Greater Golden Horseshoe. This report recommends refusal of the proposal in its current form. The broad range of retail and service uses requested would require an official plan amendment. Approval of the application without first undertaking a municipal comprehensive review which addresses the policies and conversion criteria of the Growth Plan would be contrary to the Places to Grow

Act 2005 which requires that all municipal planning decisions conform, or not conflict with the Growth Plan.

Background Information

3101 Kennedy Road Zoning Application Refusal

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18452.pdf>)

2a Comments from Councillor Del Grande

Origin

(February 2, 2009) Letter from Councillor Mike Del Grande, Ward 39 Scarborough-Agincourt

Summary

Advising the Committee of conflicting views on this project.

Background Information

Comments from Councillor Del Grande

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18823.pdf>)

(Deferred from January 8, 2009 - 2009.PG22.6)

PG23.3	Presentation	Amended		
---------------	--------------	---------	--	--

Presentation on Backyard Studios

Decision Advice and Other Information

Mr. Hy Rosenberg, BlueSky MOD, gave a presentation to the Planning and Growth Management Committee on Backyard Studios and filed a copy of his presentation.

The Planning and Growth Management Committee

1. referred the presentation material to the Chief Planner and Executive Director, City Planning, with a request that he submit a report to the Planning and Growth Management Committee, as soon as possible, on guidelines that could be introduced for residents wanting to erect accessory structures or secondary structures, including the criteria for acceptable variances, and the possibility of making the policy area specific.

Origin

(December 18, 2008) Letter from Councillor Adam Vaughan, Ward 20 Trinity-Spadina

Summary

Requesting that representatives from the design and manufacturing company BlueSky MOD be invited to make a presentation on their "Backyard Studio" project to the Planning and Growth Management Committee.

Background Information

Letter December 18, 2008 from Councillor Vaughan

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18336.pdf>)

PG23.4	ACTION	Adopted		Ward: All
--------	--------	---------	--	-----------

The Toronto Public Art Commission – New Members

Confidential Attachment - Personal matters about an identifiable individual, including municipal or local board employees

Committee Recommendations

The Planning and Growth Management Committee recommends that:

1. City Council approve the recommended new members for the Toronto Public Art Commission outlined in Attachment 1 of the report.
2. City Council approve the public release of the confidential information in Attachment 1.

Origin

(January 9, 2009) Report from Chief Planner and Executive Director, City Planning

Summary

The purpose of this report is to seek approval of new citizen volunteers to serve on the Toronto Public Art Commission. These individuals were nominated through a selection process as outlined in this report. In addition to current nominations, a reserve list of potential members was prepared, in the event one or more of the members may wish to step down from Toronto Public Art Commission during the current term of City Council.

The Toronto Public Art Commission provides valuable independent advice to City Planning and City Council in the review, identification and commissioning of public art in the public realm. The Toronto Public Art Commission advises on the City Planning's "Percent for Public Art Program", public art policies and guidelines whenever needed. When public art is secured through development approval, part of the subsequent process includes input from the Toronto Public Art Commission.

Background Information

Report-Toronto Public Art Commission New Members

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18426.pdf>)

PG23.5	Action	Amended		Ward: All
---------------	--------	---------	--	-----------

Official Plan Conformity to the Growth Plan

Decision Advice and Other Information

The Planning and Growth Management Committee:

1. Directed that Notice for the public meeting under the Planning Act be given in accordance with the regulations under the Planning Act.
2. Directed staff to schedule consultation meetings with interested parties, including Community representatives, Ratepayer Associations, and business organizations to obtain their comments on the draft Official Plan Amendment.
3. Authorized and directed the appropriate City officials to take the necessary action to give effect thereto.
4. Requested the Chief Planner and Executive Director of City Planning to report to the Planning and Growth Management Committee on the outcome of the consultation meetings and provide a draft Official Plan Amendment prior to the Committee's scheduling of the statutory public meeting.

Origin

(January 14, 2009) Report from Chief Planner and Executive Director, City Planning

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).

The Growth Plan provides growth management policy direction and its underlying legislation requires that all decisions by planning authorities within the Greater Golden Horseshoe (GGH) conform to the policies and intent of the Growth Plan. The extent of the Greater Golden Horseshoe is shown on the accompanying map.

Municipal official plans are considered by the Province to play a key role in the implementation of the Growth Plan's objectives and as such requires GGH municipalities to bring their respective Official Plans into complete conformity with the Growth Plan by June 2009.

Over the past eighteen months, City Planning staff in consultation with staff from the Ministry of Energy and Infrastructure (formerly the Ministry of Public Infrastructure Renewal) has been reviewing the Official Plan's conformity to the Growth Plan. The result of this work, along with relevant background materials, was submitted to the Province for its consideration in late 2007.

The Province completed its review of the submitted materials in the 3rd quarter of 2008 and has

officially informed the City that on the whole the Official Plan generally conforms to the Growth Plan (Attachment 1). In particular the Province acknowledged our efforts in protecting employment areas, focusing intensification in intensification areas, building complete communities and creating transit-supportive neighbourhoods. They did note, however, that additional work within a few key policy areas would be required in order to reinforce the Official Plan's conformity with the Growth Plan. Those policy areas are:

1. Recognition of the Growth Plan's population and employment projections for the City of Toronto;
2. Inclusion of minimum density targets for the Official Plan's Centres identified as Urban Growth Centres in the Growth Plan; and
3. Enhanced protection of the City's stock of employment lands from conversion to non-employment uses by amending Policy 4 of Official Plan Section 4.6 – Employment Areas.

Discussion of these Provincial requirements and an outline describing City Planning staff's proposed actions are contained within this report.

Background Information

Official Plan Conformity to the Growth Plan

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18337.pdf>)

Communications

(February 3, 2009) e-mail from Steven A. Zakem, Aird & Berlis LLP (PG.New.PG23.5.1)

(February 4, 2009) e-mail from Rick Ciccarelli, Mount Dennis Weston Network (PG.New.PG23.5.2)

(February 4, 2009) submission from Tim Kirkwood, East Toronto Community Coalition (PG.New.PG23.5.3)

5a Employment Lands and Growth Plan

Origin

(February 4, 2009) Letter from Councillor Paula Fletcher, Ward 30 Toronto-Danforth

Summary

Request from Councillor Fletcher in respect to the report.

Background Information

Letter February 4, 2009 from Councillor Fletcher

(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18864.pdf>)

PG23.6	Information	Deferred		Ward: All
--------	-------------	----------	--	-----------

An Evaluation of a Free Residential Home Plumbing Inspection Program

Decision Advice and Other Information

The Planning and Growth Management Committee deferred the item until its meeting on April 14, 2009, in order that notice be given to allow Committee discussion.

Origin

(January 19, 2009) Report from General Manager, Toronto Water

Summary

The Planning and Growth Management Committee requested that the General Manager, Toronto Water, in consultation with the Chief Building Official, report to the Committee on the costs of a free home plumbing inspection program for residential owners engaged in minor home plumbing projects. This report outlines that there is no evidence that the cost of obtaining a building permit has any effect on minimizing the number of cross connections of sanitary flows to storm sewers. Moreover, within the Ontario Building Code Act and City of Toronto Act, there are legal limitations to providing free plumbing permits. The continued monitoring of the storm outfalls by Toronto Water is still the most appropriate and effective method of locating and minimizing cross connections.

Background Information

Evaluation of Free Residential Home Plumbing Inspection Program
(<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-18420.pdf>)