

ISSUE DATE:

**Oct. 12, 2005**

DECISION/ORDER NO:

**2708**



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL030412

The Ontario Municipal Board has received appeals under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from a decision of the Minister of Municipal Affairs and Housing to approve in part, the new Official Plan for the City of Toronto, as adopted by By-law 1082-2002, to provide policy direction in the six municipalities of the former Metropolitan Toronto

MMAH File No. 20-OP-2002

OMB File Nos. See Attachment "1"

### APPEARANCES:

<b>Parties</b>	<b>Counsel*/Agent</b>
City of Toronto	Bruce Ketcheson* Robert Balfour* R. Andrew Biggart*
Aga Khan Foundation Canada	Brad Teichman* (Absent)
Cadillac Fairview Corporation Limited Canadian Tire Corporation Limited Canadian Tire Real Estate Limited (Lakeshore) Eminent Construction Limited Monarch Construction Limited Monarch Construction Limited and Water View Corporation Options for Homes Silvercore Inc. Greater Toronto Home Builders' Association and Urban Development Institute 1430649 Ontario Ltd. 2BRNOT2B Holdings 603613 N.B. Inc. (Malibu Investments Inc.) 640 Fleet Street Developments Limited, 650 Fleet Street Developments Limited, Fleet Boulevard Limited  Bedford and Bloor Realty and Lantower Yonge Bloor Capital Inc	Steven Diamond* John Dawson* (Absent) Cynthia MacDougall* (Absent) Calvin Lantz* (Absent)

<p>Daniels Midtown Corporation                  Mattamy Bayview Limited                  Mount Sinai Hospital                  Plazacorp Properties Limited                  Riva Glade Holdings Inc.                  Wellesley Residences Corp.                  Yonge Crescent Development Limited                  Yorkville (2001) Limited                  Hanfrow Holdings G.P. Inc.                  Talon International Developers Inc.                  Meridian Residences Inc.                  Centre for Addiction and Mental Health                  534078 Ontario Limited, Weintraub Holdings                  Limited, Samper Developments                  Limited, Jassder Developments                  Limited, Judidon Holdings Inc., Cardon                  Holdings Inc., Dadadon Holdings Inc.,                  Ruthdon Holdings Inc.                  Piagga Limited                  1356071 Ontario Inc.                  Artlea Holding Limited, Siper Investments                  Limited, H &amp; R Properties Limited,                  1012502 Ontario Limited                  Rosalind Bradford (David Sadja)                  1160963 Ontario (Spadina)                  887343 Ontario Inc. and 567485 Ontario Inc.                  1160963 Ontario (Rosehill)                  Herron Gardens Inc.                  Wellington Park Residences Corp.                  Marca Development Corporation                  Wittington Properties Limited                  First Ontario Realty Corporation                  York University                  1098748 Ontario Limited                  National Ballet School                  Bellwoods Centres for Community Living                  Inc.                  Wittington Properties Inc.                  Hyde Park Partnership                  Centre for Addiction and Mental Health</p>	
<p>CN Railway</p>	<p>Michael Hackl* (Absent)</p>
<p>Toronto Anglican Diocese</p>	<p>Pitman Patterson* (Absent)</p>

Toronto Rehabilitation Institute	
Owens Corning Canada Inc. Tom Katirai	Harold Elston* (Absent)
Kraft Canada Inc.	Dennis Trinaistich* (Absent)
The National Club Gerrard Clonmore Developments Limited Tap-Steeles Investments Ltd. Steeles Markham Developments Limited The Conservatory Group of Companies Ringley Construction Ltd. (formerly Workplace Safety and Insurance Board)	Susan Rosenthal* Mark Flowers* (Absent)
685 Keele Street Limited Home Depot of Canada Inc. Lissard Holdings Morningard Developments Limited Thoroughbred Developments Limited	Cathy Biesma (Absent)
Edithvale Yonge Residents' Association, Lansing Community Association Inc., Silverview Homeowners' Association, South of Sheppard Preservation Group Inc., Willowdale Central Ratepayers' Association	George Belza (Absent)
Ripley Area Residents Group Ltd. And Swansea Area Ratepayers Group Confederation of Resident and Ratepayer Associations (CORRA)	William Roberts*
Harbour Remediation and Transfer Inc. Lafarge Canada Inc. Ontario Realty Corporation and Hydro One Ontario Realty Corporation (90 Harbour Street & West Donlands) Ontario Restaurant Hotel and Motel Association, et. al The Roehampton Corporation Yonge-St. Clair Inc.	Signe Leisk* (Absent)
5795 Yonge Street (1984) Limited Ivaco Inc.	Craig Parkinson* (Absent)

Ministry of Municipal Affairs and Housing	Brenda Linington* Jess Fortner (Absent)
Apco Industries Co. Limited Crompton Co./Cie Dow Chemical Canada Inc. Halltech Inc. Rohm and Haas Canada Inc. Valspar Canada Inc. Kolter Property Company	Andrew Jeanrie* (Absent)
Urquhart Consortium Inc.	Art Millwain
1255870 Ontario Limited	John Inglis* (Absent)
1213763 Ontario Limited 18 Brownlow Holdings Ltd. 2BRNOT2B Holdings 940412 Ontario Limited, Adam Steiner et. al. Advent Health Care Corp. Avro Quay Limited Diamante Urban Corporation Duration Investments Ltd. MintoUrban Communities Inc. One City Hall Place Limited Pleasant View Holdings Ltd. Sun Life Assurance (Morningside Mall) Sun Life Assurance (Yonge) Sun Life Assurance Company of Canada(Lawrence and Morningside) Burnac Holdings Limited	Michael Kovacevic* (Absent)
<b>Participant</b>	
Michael Rosenberg	

**DECISION DELIVERED BY M. HUBBARD AND S.W. LEE**

This phase of the hearing deals with the broad urban structure set out in the Plan. Specifically, it deals with the long-term growth management strategy illustrated graphically in Map 2 and explained in the associated policies of Chapter 2.

None of the parties have taken issue with the evidence proffered by the City in this regard. Mr. S. Diamond and Ms. S. Rosenthal indicated that on behalf of their clients they would not have any concern on a broad brush basis. Nonetheless, this is not to be construed to mean that refinements to the detail of the urban structure cannot be had where some inevitable tinkering may be required upon the adjudication of issues on behalf of their clients at the later phases of the hearing. On behalf of the City, Mr. Ketcheson indicated that he is *at idem* with that approach. It is on that basis the Board proceeded on these matters.

At these proceedings, we heard the non-controverted evidence from Thomas Ostler, the manager of Policy and Research at the City. We also heard from a participant Mr. Rosenberg who gave his evidence, mostly on matters concerning specific urban design form.

The essential question addressed by Mr. Ostler is the amount of lands that has been designated for growth sufficient to accommodate the population and employment growth that is projected for the City.

Important to point out are the two modifications made by the Minister with respect to this section of the Plan, namely Policy 2 & 3. The first dealing with the obligation of Toronto to consult with adjacent municipalities regarding areas of mutual interests, such as shared transportation corridors and cross boundary service provision. The second obligates the City to accommodate a minimum of 3 million residents and 1.835 million jobs by the year 2031. The City is not opposed to either of these modifications.

The conclusion of Mr. Ostler is that there is sufficient capacity to accommodate the growth that has been forecasted and as modified by the Minister. The basis of that conclusion is fourfold:

1. The 30 year planning horizon is an appropriate planning horizon.
2. The resultant long-term growth forecast to the year 2031 resulted in an allocation of the city of 537,000 additional residents and 544,000 additional jobs over the planning horizon.
3. This growth allocation will result in the population and job target

which the Minister has modified.

4. Map 2 and the policies have identified the priority areas for growth to address the needed targets.

By virtue of the fact that these conclusions have not been impeached, the Board will adopt them as findings for the Board at this phase of the hearing.

M. HUBBARD  
CHAIR

S.W. LEE  
EXECUTIVE VICE-CHAIR

Attachment filed with original decision