

## Special Development Services Committee Minutes

**Meeting Number: 15**

**June 12, 2023, 9:30 AM - 3:00 PM**

**Live streamed**

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| Roll Call | Mayor Frank Scarpitti  | Councillor Reid McAlpine                               |
|           | Deputy Mayor Michael Chan                                      | Councillor Karen Rea                                   |
|           | Regional Councillor Jim Jones                                  | Councillor Andrew Keyes                                |
|           | Regional Councillor Joe Li                                     | Councillor Amanda Collucci                             |
|           | Regional Councillor Alan Ho                                    | Councillor Juanita Nathan                              |
|           | Councillor Keith Irish   | Councillor Isa Lee                                     |
|           | Councillor Ritch Lau   |  |
|           |  |  |
| Staff     | Andy Taylor, Chief Administrative Officer                      | Geoff Day, Senior Planner, Zoning & Special Projects   |
|           | Arvin Prasad, Commissioner, Development Services               | Darryl Lyons, Deputy Director, Planning & Urban Design |
|           | Trinela Cane, Commissioner, Corporate Services                 | Brad Roberts, Manager, Zoning and Special Projects     |
|           | Morgan Jones, Commissioner, Community Services                 | Laura Gold, Council/Committee Coordinator              |
|           | Claudia Storto, City Solicitor and Director of Human Resources | Erica Alligood, Election & Committee Coordinator       |
|           | Stephanie DiPerna, Director, Building Standards                | Rajeeth Arulanantham, Assistant to Council / Committee |
|           | Giulio Cescato, Director of Planning & Urban Design            |  |
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### **1. CALL TO ORDER**

The Special Development Services Committee convened at 9:32 AM with Regional Councillor Jim Jones in the Chair.

Councillor Karen Rea left the meeting at 12:15 PM.

## **INDIGENOUS LAND ACKNOWLEDGEMENT**

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the current treaty holders Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

### **2. DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

### **3. COMMUNICATIONS**

#### **3.1 COMMUNICATIONS - COMPREHENSIVE ZONING BY-LAW PROJECT, FILE NO. PR 13 128340 (10.5)**

**Note: Please refer to item 4.2 for staff report.**

Moved by Councillor Andrew Keyes  
Seconded by Councillor Reid McAlpine

1. That the communications providing comments from Sandra Wiles, Bousfields Inc., SGL Planning & Design Inc., Gatzios Planning + Development Consultants Inc., Minto Communities Inc., **Stikeman Elliot, Malone Given Parsons, Macaulay Shiomi Howson Ltd., Gagnon Walker Domes, KLM Planning Partners Inc., Davies Howe, Cattanach Hindson Sutton VanVeldhuizen LLP, and History Hill Group** regarding the above subject matter be received.

**Carried**

### **4. PRESENTATIONS**

#### **4.1 RESIDENTIAL INFILL DEVELOPMENT SERVICE DELIVERY REVIEW (10.0)**

Arvin Prasad, Commissioner, Development Services, introduced this item as a report and presentation which provide an overview of an audit completed by an independent consultant reviewing residential infill development. Commissioner Prasad advised that this audit was undertaken utilizing the Provincial Audit and Accountability fund which was completed within the specified timeframe and satisfied provincial requirements. Commissioner Prasad introduced Stephanie

DiPerna to provide a presentation outlining the findings and recommendations from the audit.

Stephanie DiPerna, Director of Building Standards and Chief Building Official, delivered a presentation.

The Committee provided the following feedback:

- Inquired about the invoicing process for residential maintenance fees. Ms. DiPerna advised that these maintenance fees are related to infill properties that are under construction for more than 2 years, noting that over that time there are more resources needed for inspections. Ms. DiPerna confirmed that after the 2 years have passed, the maintenance fees are charged until occupancy begins.
- Requested clarification on if MapIt or ePlan is the best resource for updates. Ms. DiPerna advised that ePlan should still be used as ePlan and Mapit are not yet fully integrated, noting that ePlan has real-time information.
- Inquired about a website refresh and the reasoning that this is recommended to be undertaken. Trinela Cane, Commissioner, Corporate Services, advised that while the website was updated approximately 5 years ago, there are plans to update the search engine to increase usability, also noting that Corporate Communication continues to work with Departments to ensure content is up to date.
- Asked what can be done when issues are encountered with infill development sites. Ms. DiPerna stressed that any complaints should be placed through the Contact Centre to ensure they can be addressed in a timely manner.
- Questioned if cross training could occur to ensure Building Inspectors could enforce when infractions are found. Ms. DiPerna noted that this could be looked at through the AMPS process.
- Asked the rationale for this streamlining process and sought clarification as to the issues with the former process. Ms. DiPerna noted that the purpose of the fund is to streamline and increase efficiency, advising that construction delay issues can often be mitigated with the maintenance fee charged after two years. Ms. DiPerna clarified that most developments complete construction within two years, noting that the maintenance fee can be used to address the outliers.

Moved by Councillor Karen Rea  
 Seconded by Councillor Reid McAlpine

1. That the report dated June 12, 2023 entitled "Summary of Findings - Residential infill Development Service Delivery Review" be received; and,
2. That staff be directed to evaluate the findings of the study entitled "Residential Infill Development Service Delivery Review" and report back to Development Services Committee with potential options; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **4.2 COMPREHENSIVE ZONING BY-LAW PROJECT, FILE NO. PR 13 128340 (10.5)**

B. Roberts, ext. 3071 / G. Day, ext. 2800

**Note: Presentation is attached.**

Arvin Prasad, Commissioner, Development Services, introduced this item as a comprehensive review of the City's Zoning By-law and existing framework. Commissioner Prasad advised that a public meeting was held on May 9, 2023 to solicit public feedback and noted that Staff met with many stakeholders to further discuss. Commissioner Prasad thanked Staff for their work on the Comprehensive Zoning By-law project and introduced Giulio Cescato to provide a presentation.

Giulio Cescato, Director, Planning & Urban Design, delivered a presentation on the Comprehensive Zoning By-law.

Don Given, Deputant, provided a presentation related to the Baha'i National Centre, requesting that this be treated under the existing zoning by-laws, versus the new Comprehensive Zoning By-law. Mr. Given requested that the continuation of the application be included and that the 7015 Leslie Street property be included in the current application. Mr. Cescato advised that there is no mechanism to add to an active application, noting that active applications will not be included in the proposed changes. Mr. Cescato noted that another application could be filed including the aforementioned property, prior to the adoption of the by-law by Council.

Nick Pileggi, Deputant, spoke on behalf of Weins Canada Inc. and White Owl Properties, which operate under Miller Waste and Miller Transit. Mr. Pileggi noted that he has met with Staff to resolve some issues but noted that others are ongoing. Mr. Pileggi detailed some of the key issues with the changes to permissions.

John McDermott, Deputant, requested further consultation with Staff related to the various properties he represents, and expressed concerns that he did not receive notice of the May 9th statutory public meeting as had been requested. Mr. McDermott noted issues with the use permissions and provisions of the by-law, particularly surrounding changes to existing uses.

Christiane Bergauer-Free, Deputant, stressed that by-laws need to be implemented with consideration for what may come to the City in future.

The Committee provided the following feedback:

- Requested clarification on what applies to areas such as MiX. Staff clarified that the exact provisions for the MiX area will be established through the next secondary plan, advising that historic by-laws will continue to apply with permissions being crafted through the Official Plan process.
- Inquired about the minor increase to height permissions in certain low rise residential areas. Geoff Day, Senior Planner II, explained that the Official Plan permits the height increases, noting that these were included to close the gap with several properties throughout the City.
- Asked for the range of heights on existing gas stations and commercial plazas which have been deemed mixed-use. Mr. Cescato advised that the range for residential and mixed-use would be 3-15 storeys for high rise and 3-6 storeys for mid-rise.
- Clarified that there would be no changes to short-term stays or rooming house permissions. Mr. Cescato confirmed that there are no changes to these areas.
- Asked about control and enforcement related to adult entertainment establishments, asking if there is any enforcement or control mechanisms related to explicit information on websites. Claudia Storto, City Solicitor, advised that this is not something that could be addressed through a Zoning By-law, noting that there are other legal aspects to consider.
- Requested clarification on the measurement of heights. Mr. Day clarified that the measurement of height is based on the section, noting that the

height is typically taken from the established grade line to the highest line of the top plate, noting that within established residential zones the measurement is taken to the highest point of the structure or dwelling. Mr. Day further clarified that for accessory buildings, the height would be measured to the mid-point of the structure.

- Asked how the by-law would prevent the addition of oversized accessory buildings on residential lots. Mr. Cescato confirmed that accessory buildings covering entire properties would be prevented due to the requirements for soft landscaping.
- Inquired about the impact to recreational vehicle and commercial vehicle parking. Mr. Day confirmed that these items are no longer being included in the Comprehensive Zoning By-law update and will be addressed when the parking by-law is reviewed.
- Asked about the appeal process if the zoning by-law is appealed to the Ontario Land Tribunal. Mr. Cescato noted that typically appeals are scoped to certain sections or are site-specific, allowing for the implementation of some part of the by-law not under appeal. Ms. Storto advised that the City of Toronto received over 800 appeals to their Comprehensive Zoning By-law which was subsequently walked back. Ms. Storto noted that the OLT would encourage parties to work through specific issues prior to a hearing but noted that it could be a multi-year process.

Moved by Councillor Andrew Keyes

Seconded by Councillor Juanita Nathan

1. That the report titled, “RECOMMENDATION REPORT, PHASE 3B: New Comprehensive Zoning By-law Project, File PR 13 128340”, dated June 12, 2023, be received; and,
2. **That Staff meet with the deputants and bring forth a memorandum to Development Services Committee to address issues raised at the June 12th Special Development Services Committee prior to the by-law proceeding to Council; and,**
3. **That the deputations made by Don Given, Nick Pileggi, John McDermott, and Christiane Bergauer-Free at the June 12th Development Services Committee be received; and,**

4. That the City-initiated Draft Zoning By-law, attached hereto as Appendix 'A', be finalized and brought forward to the **June 28th Council** meeting to be enacted without further notice; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**5. ADJOURNMENT**

Moved by Councillor Amanda Collucci

Seconded by Regional Councillor Joe Li

That the Development Services Committee adjourn at 12:32 PM.

**Carried**