

**THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Urban Environment and Development Committee**

**Monday, October 5, 1998.**

The Urban Environment and Development Committee met on Monday, October 5, 1998, in Committee Room A, 2nd Floor, Metro Hall, Toronto, commencing at 9:40 a.m.

Members Present:

Councillor Joe Pantalone, Chair  
Councillor Ron Moeser, Vice-Chair  
Councillor Frank Faubert  
Councillor Irene Jones  
Councillor Blake F. Kinahan  
Councillor Pam McConnell  
Councillor Howard Moscoe  
Councillor Mario Silva

Regrets:

Councillor Peter Li Preti  
Councillor Judy Sgro  
Councillor Mike Tzekas  
Mayor Mel Lastman

Also Presents:

Councillor Ila Bosson  
Councillor Sherene Shaw

**Confirmation of Minutes.**

On motion by xxxxx, the Minutes of the meeting of the Urban Environment and Development Committee held on September 8, 1998 were confirmed.

**303. Contract No. T-38-98: Road and Track Allowance**

**Reconstruction at Four Locations.**

The Committee had before it a report (August 31, 1998) from the Chief Financial Officer and Treasurer and Commissioner of Works and Emergency Services recommending that the contract price for Contract No. T-38-98, Road and Track Allowance Reconstruction at Four Locations, be increased by \$150,000.00 net to a total of \$1,463,813.41, to accommodate the additional work necessary at Lake Shore Boulevard West between Symons Street and Royal York Road and on Lake Shore Boulevard West between Kipling Avenue and 23rd Street; advising that funding for this project has previously been approved by Council and is available in the Toronto Transit Commission's Track Reconstruction Program; that the Treasurer has previously certified that financing can be provided under the updated Debt and Financial Obligation Limit and that it falls within corporate debt guidelines; stating that the work is being undertaken on behalf of the TTC and the funds are available in Capital Account No. C-TR025, Work for Others, to accommodate the extra cost of this Contract.

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the aforementioned report.

**(Report No. 12 - Clause No. 8)**

**304. Proposed Extension of the Southbound Left-Turn Prohibition at Old Weston Road and Rockwell Avenue.**

The Committee had before it a report (September 8, 1998) from the General Manager, Transportation Services recommending that:

- (1) the existing southbound left-turn prohibition at the intersection of Old Weston Road and Rockwell Avenue, which is currently in effect from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., Monday to Friday, be extended to be in effect from 7:00 a.m. to 6:00 p.m., Monday to Friday; and
- (2) the appropriate by-law(s) be amended accordingly;

advising that the proposed extension will have a negligible impact on the road network in this area; that the estimated cost of installing appropriate signs is \$600.00; and that the funds associated with this work are contained in the Transportation Services Division's 1998 Current Budget.

On motion by Councillor Kinahan, the Committee recommend to Council the adoption of the aforementioned report.

**(Report No. 12 - Clause No. 11)**

**305. Proposed Adjustment to the Northbound Through Prohibition on Eglinton Avenue West Glen Cedar Road/Old Park Road.**

The Committee had before it a report (September 9, 1998) from the General Manager, Transportation Services recommending that:

- (1) the existing northbound through prohibition on Eglinton Avenue West from Glen Cedar Road to Old Park Road, which is currently in effect from 7:00 a.m. to 10:00 a.m. and from 3:00 p.m. to 7:00 p.m., except Sundays and Public Holidays, be modified to be in effect from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., Monday to Friday; and
- (2) the appropriate by-law(s) be amended accordingly;

advising that the estimated cost of installing the appropriate signs is \$600.00; and that the funds associated with the implementation of the proposed adjustment to the northbound through prohibition are contained in the Transportation Services Division's 1998 Current Budget.

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the aforementioned report.

**(Report No. 12 - Clause No. 14)**

**306. Bill 25 (Red Tape Act) and Amendments to the Conservation Authorities Act.**

The Committee had before it a report (October 1, 1998) from the Commissioner of Urban Planning and Development Services regarding Bill 25 (Red Tape Act) and Amendments to the Conservation Authorities Act.

On motion by Councillor Moscoe, the Committee:

- (A) endorsed the recommendations embodied in the aforementioned report, viz:
  - (1) that the Urban Environment and Development Committee inform the Standing Committee on Administration of Justice of the City's concerns and position regarding Bill 25 and the proposed changes to the Conservation Authorities Act by

providing this report, and that the decision of the Committee be endorsed by Council;

(2) that in order to clearly eliminate duplication and potential conflict between a municipality's planning authority under the Planning Act and a conservation authority's authority under the Conservation Authorities Act, the Province be urged to consider the following changes to Bill 25, Schedule I, section 12, concerning the Conservation Authorities Act:

(a) delete 28 (5) (e) to clearly avoid possible duplication of planning authority approval functions by a conservation authority outside of valley and watercourse areas;

(b) delete 28 (20) (b) to clearly avoid unnecessary duplication of planning approval functions by a conservation authority concerning internal and other alterations to existing buildings in valley areas; and

(c) eliminate remaining concerns for duplication arising from the use of the term "development" by specifically addressing these in consultation with the Toronto and Region Conservation Authority (TRCA) and the Province, and clarifying details of the appropriate regulatory powers of conservation authorities, either in a supporting generic regulation, a TRCA-specific regulation, or through a memorandum of understanding between the City and the TRCA, as provided for under the Act; and

(3) the Commissioner of Urban Planning and Development Services be authorized to develop agreements with the Toronto Region Conservation Authority to clarify our mutual interests and respective roles and functions in the areas of natural hazards, natural heritage areas and other related matters;

(B) advised the Minister of Consumer and Commercial Relations, and the Standing Committee on Administration of Justice, that the amendments proposed by the Minister would add significantly to the "red tape" involved in development proposals located near conservation areas; and

- (C) recommended that Council concur with the action taken by the Urban Environment and Development Committee.

(Sent to: The Chair, Standing Committee on Administration of Justice; The Honourable David Tsubouchi, Minister of Consumer and Commercial Relations; Commissioner of Urban Planning and Development Services; Copy to: Chair, Urban Environment and Development Committee; City Solicitor; Mr. Paul Bedford, Executive Director City Planning, Metro Hall; Mr. Christopher Morgan, City Planning Division, City Hall; Ms. Wendy Walberg, Legal Department - October 9, 1998)

**(Report No. 12 - Clause No. 5)**

**307. Thirty Kilometre Per Hour Speed Limits Applied in Conjunction with Substantive Traffic-Calming Projects - Renewal and Extension of Enabling Legislation.**

The Committee had before it a report (September 22, 1998) from the General Manager, Transportation Services recommending that:

- (1) the City Solicitor, in consultation with the Commissioner of Works and Emergency Services, be authorized to apply for special legislation to remove or, alternatively, to extend the "sunset clause" in Bill Pr 54, an "*Act Respecting the City of Toronto*" (the 30 km/h speed limit legislation), and also to extend the legislation to apply to the entire area of the City of Toronto; and
- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

Ms. Rhona Swarbrick, Protect Established Neighbourhoods, appeared before the Urban Environment and Development Committee in connection with the foregoing matter, and also filed a written brief with respect thereto.

On motion by Councillor Moscoe, the Committee:

- (i) recommended to Council the adoption of the report (September 22, 1998) from the General Manager, Transportation Services; and
- (ii) referred the brief filed by Ms. Swarbrick to the General Manager, Transportation Services, and to the Toronto Pedestrian Committee,

for consideration and further report thereon to the Urban Environment and Development Committee in due course.

(Sent to: General Manager, Transportation Services; Toronto Pedestrian Committee; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning and Development Services; Ms. Wendy Walberg, Legal Department; Mr. Andrew Macbeth, Manager, Transportation Management; Ms. Rhona Swarbrick, Protect Established Neighbourhoods - October 13, 1998)

**(Report No. 12 - Clause No. 7)**

**308. Proposed Installation of Traffic Control Signals:  
Westclair Centre Site Driveway  
- Weston Road North of St. Clair Avenue West.**

The Committee had before it a report (September 18, 1998) from the General Manager, Transportation Services recommending that at the central site access for the Westclair Centre development on Weston Road north of St. Clair Avenue West:

- (1) traffic control signals be installed;
- (2) westbound right-turns-on-red be prohibited;
- (3) the southerly westbound approach lane be designated for left turns only from Weston Road to the City of Toronto property line;
- (4) the northerly westbound approach lane be designated for left and right turns only from Weston Road to the City of Toronto property line;
- (5) pedestrian crossings be prohibited at all times on Weston Road between the north curb line of the central site access and a point 30.5 metres south of the south curb line of the central site access; and
- (6) the appropriate by-law(s) be amended, accordingly;

advising that the funds associated with new traffic control signal installations will be the responsibility of the developer, Imland Corporation; and that the estimated upset limit for installing the traffic control signals is \$100,000.00.

Ms. Rhona Swarbrick, Co-Chair, Toronto Pedestrian Committee, appeared before the Urban Environment and Development Committee in connection with the foregoing matter; and filed a written brief with respect thereto.

On motion by Councillor Moscoe, the Committee:

- (1) recommended to Council the adoption of the aforementioned report;
- (2) requested the General Manager, Transportation Services:
  - (a) to review this matter with the Toronto Pedestrian Committee prior to installing the proposed traffic control signals at the central site access for the Westclair Centre development on Weston Road, north of St. Clair Avenue West; and
  - (b) to submit more detailed intersection maps with future reports of this nature.

(Sent to: General Manager, Transportation Services; Toronto Pedestrian Committee; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning and Development Services; Ms. Barb J. Walewski, Acting Manager, Program and Development Engineering, Transportation Services Division; Ms. Rhona Swarbrick, Co-Chair, Toronto Pedestrian Committee - October 19, 1998)

**(Report No. 12 -Clause No. 12)**

**309. Proposed Installation of Traffic Control Signals:  
McNicoll Avenue and Harold Evans Crescent/Placer Court.**

The Committee had before it a report (September 9, 1998) from the General Manager, Transportation Services recommending that traffic control signals be approved on McNicoll Avenue at Harold Evans Crescent/Placer Court; advising that the installation of the aforementioned traffic control signals is technically warranted and would provide benefits to all road users in the immediate area; that the estimated cost for the installation of traffic control signals at this location is \$72,900;00; stating that, in 1998, \$1.6 million has been allocated for new traffic control signal installation; however, 21 traffic control signals have been approved so far in 1998, which fully commits all these funds; therefore, unless additional funding is identified in 1998, the installation of newly approved traffic control signals will have to await approval of the appropriate budget item in the 1999 Capital Budget.

Ms. Rhona Swarbrick, Co-Chair, Toronto Pedestrian Committee, appeared before the Urban Environment and Development Committee in connection with the foregoing matter, and also filed a written submission with respect thereto.

On motion by Councillor Moscoe, the Committee:

- (1) recommended to Council the adoption of the report (September 9, 1998) from the General Manager, Transportation Services;
- (2) requested the General Manager, Transportation Services:
  - (a) to submit a report to the November 2, 1998 meeting of the Urban Environment and Development Committee listing the 21 traffic control signals that have been approved and funded for installation in 1998, as well as the signals which have been approved and placed on the Department's priority list, but funding for which has not been allocated; and
  - (b) to meet with the Toronto Pedestrian Committee (TPC) to develop a protocol for consulting with the TPC regarding the installation of traffic control signals prior to reporting thereon to the Urban Environment and Development Committee.

(Sent to: General Manager, Transportation Services; Toronto Pedestrian Committee; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning and Development Services; Mr. Martin Maguire, Acting Manager, East Traffic Region, Transportation Services; Ms. Rhona Swarbrick, Co-Chair, Toronto Pedestrian Committee - October 9, 1998)

**(Report No. 12 - Clause No. 13)**

**310. School Facility Review City-Wide.**

The Committee had before it a report (September 17, 1998) from the Commissioner of Urban Planning and Development Services recommending that:

- (1) the Commissioner of Urban Planning and Development Services and appropriate City staff be requested to participate in the development of a strategic planning initiative for school facilities with representatives of the Toronto District School Board and the Toronto Catholic District School Board. The objective of this strategy would be to identify ways to maximize the use of public resources, minimize the



Urban Environment and Development Committee Minutes  
Monday, October 5, 1998

---

impact on local communities and, ultimately, to ensure that the present and future needs of the City's residents are adequately addressed;

- (2) the Commissioner of Urban Planning and Development Services and senior staff from the Toronto District School Board and the Toronto Catholic District School Board request a meeting with representatives of the Ministry of Education and Training to be held as soon possible, in order to apprise them of the proposed school strategic planning initiative and obtain their support;
- (3) appropriate City staff be instructed to give effect thereto; and
- (4) this report be forwarded to the Toronto District School Board and the Toronto Catholic District School Board, for their consideration.

Ms. Ann-Marie Nasr, Manager, Policy and Programs, City Planning Division, Urban Planning and Development Services Department, made an overhead presentation to the Urban Environment and Development Committee in connection with the foregoing matter.

On motion by, the Committee:

(A) recommended that Council:

(1) adopt the aforementioned report, subject to:

- (a) amending Recommendation No. (1) by striking out the words "strategic planning initiative" and inserting in lieu thereof the word "plan"; so that the Recommendation now reads as follows:

"(1) the Commissioner of Urban Planning and Development Services and appropriate City staff be requested to participate in the development of a plan for school facilities with representatives of the Toronto District School Board and the Toronto Catholic District School Board. The objective of this strategy would be to identify ways to maximize the use of public resources, minimize the impact on local communities and, ultimately, to ensure that the present and future needs of the City's residents are adequately addressed;

- (b) adding thereto the following new Recommendation No. (5):

“(5) a copy of this report be forwarded to the Children’s Action Committee and the Schools Tax Sub-Committee; and the School Tax Sub-Committee be requested to submit its recommendations thereon to the Urban Environment and Development Committee as soon as possible.”;

- (2) pledge full co-operation with the Toronto District School Board and the Toronto Catholic District School Board;
- (3) direct that an emergency joint meeting be convened between City Council, the Toronto District School Board and the Toronto Catholic District School Board with respect to this matter;
- (4) request the Commissioner of Urban Planning and Development Services:
- (a) in developing the plan for school facilities referred to in Recommendation No. (1), embodied in the report (September 17, 1998) from the Commissioner of Urban Planning and Development Services, to consider a system of incentives for retaining lands and space that deliver important community programs and amenities;
- (b) to ensure that any public meetings held with respect to this matter include the local Councillors; and
- (c) to submit to the Urban Environment and Development Committee a list of all school sites located within the City of Toronto, and the zoning designation for each site; and
- (5) request the Commissioner of Urban Environment and Development Services, in co-ordination with the Commissioners of Community and Neighbourhood Services and Economic Development, Culture and Tourism, to

catalogue the City's capital investment in all schools and school-related properties throughout Toronto;

- (B) requested that the Commissioner of Urban Planning and Development Services:
  - (1) distribute to all Members of Council the Toronto District School Board's School Review Area report as soon as it is available in order to permit Members to alert their communities of the specific nature of the problem on a timely basis; and
  - (2) provide a briefing package to all Members of Council on a Ward-by-Ward basis;
- (C) directed that a copy of the aforementioned report be forwarded to the Economic Development Committee for information; and requested the Commissioner of Urban Planning and Development Services to direct the Manager of Policy and Programs, City Planning Division, to make a presentation thereon to the Economic Development Committee.

(Sent to: Commissioner of Urban Planning and Development Services; Economic Development Committee; Copy to: Chair, Urban Environment and Development Committee; Chief Administrative Officer; Commissioner of Community and Neighbourhood Services; Commissioner of Economic Development, Culture and Tourism; Mr. Paul Bedford, Executive Director and Chief Planner, City Planning Division; Ms. Ann-Marie Nasr, Manager, Policy and Programs, City Planning Division - October 8, 1998)

**(Report No. 12 - Clause No. 2)**

**311. Flexlink Advanced Auto Network (FAAN)  
- Smart Mobility for the Millennium.**

The Committee had before the following communications:

- (i) (August 24, 1998) from Mr. Rocco Maragna, President, Maragna Architect Incorporated. submitting information regarding the Flexlink Advanced Auto Network (FAAN); advising that FAAN is a new transportation system which is an intermediate between public and private transit, yet is complementary to both systems; requesting the opportunity to give a short presentation of this Smart

Mobility concept to the Urban Environment and Development Committee with a view to seeking the endorsement of the Committee, and a recommendation that City staff be directed to provide assistance to, and participate with, the FAAN team in applying this approach to the specific needs of the City of Toronto; and

- (ii) (October 2, 1998) from Ms. Liz Reynolds, Executive Director, Auto Share - Car Sharing Network Inc., requesting that should the Urban Environment and Development Committee be considering innovative forms of mobility management, it do so with the full knowledge of other programs of this nature currently running in the City of Toronto; and providing information with respect to Auto Share - Car Sharing Network Inc.

The following persons appeared before the Urban Environment and Development Committee in connection with the foregoing matter:

- (1) Mr. Rocco Maragna, President, Maragna Architect Incorporated;
- (2) Dr. David V.J. Bell, Director, York Centre for Applied Sustainability, York University;
- (3) Mr. Luigi Ferrara, Vice-President, Business and Public Programs and Services, Design Exchange;
- (4) Dr. Vicky J. Sharpe, Managing Director, GRI Canada; and
- (5) Mr. Phil Piltch, on behalf of Auto Share - Car Sharing Network Inc.

On motion by Councillor , the Committee recommends that Council:

- (A) recommended that Council:
  - (1) endorse, in principle, the concepts of the Flexlink Advanced Auto Network (FAAN) and other “car-sharing initiatives” for further consideration and exploration;
  - (2) request the Commissioner of Urban Planning and Development Services and the General Manager, Transportation Services, to provide in-kind assistance to, and participate with, the (FAAN) Team in applying the FAAN approach to the specific needs of Toronto; and
  - (3) request the FAAN Team to make a presentation to the Toronto Transit Commission and the Toronto Parking Authority.

- (B) deferred consideration of the Auto Share - Car Sharing Network Inc. proposal to a future meeting of the Committee, at which time representatives of Auto Share will be invited to make a presentation.

(Sent to: Mr. Rocco Maragna, President, Maragna Architect Incorporated; Ms. Liz Reynolds, Executive Director, Auto Share - Car Sharing Network Inc.; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning Development Services; Mr. Dave Kaufman, General Manager, Transportation Services; Dr. David V.J. Bell, Director, York Centre for Applied Sustainability, York University; Mr. Luigi Ferrara, Vice-President, Business and Public Programs and Services, The Design Exchange; Dr. Vicky J. Sharpe, Managing Director, GRI Canada; Mr. Phil Piltch, Auto Share - Car Sharing Network Inc. - October 21, 1998)

**(Report No. 12 - Clause No. 6)**

**312. Proposed Installation of Pedestrian Crossover:  
McNicoll Avenue and Silver Springs Boulevard.**

The Committee had before it the following report and communication:

- (i) (July 30, 1998) from the General Manager, Transportation Services recommending that a pedestrian crossover be installed on McNicoll Avenue at Silver Springs Boulevard; advising that the subject location has been investigated on numerous occasions in response to pedestrian safety concerns raised by the Silver Springs Community Association; that the technical warrants for the installation of traffic control signals are not met at the aforementioned location; that, in support of the September 1997 resolution of the former Scarborough Council, a pedestrian crossover should be installed at this location at an estimated cost of \$19,300.00; and stating that funds are available for the installation of pedestrian crossovers as per Section 37 agreement, Account No. 70697-00000-00000-853.
- (ii) (October 2, 1998) from Councillor Doug Mahood, Scarborough Agincourt, requesting that Members of the Urban Environment and Development Committee support the installation of traffic control signals at the intersection of McNicoll Avenue and Silver Springs Boulevard.

Ms. Cathy Gaspar, Toronto, appeared before the Urban Environment and Development Committee in connection with the foregoing matter.

On motion by, the Committee:

- (A) recommended to Council that:
- (1) traffic control signals be installed at the intersection of McNicoll Avenue and Silver Springs Boulevard, subject to such installation being effected at no cost to the City; and
  - (2) the necessary funding therefor be made available from Account No. 70697-00000-00000-853, Section 37 agreement, as follows:
    - (a) Bamburgh Gate Developments Inc. - \$60,000.00; and
    - (b) Monarch Construction Ltd. - \$25,000.00; and
- (B) requested the General Manager, Transportation Services, to review this matter with the Toronto Pedestrian Committee prior to installing the proposed traffic control signals at McNicoll Avenue and Silver Springs Boulevard.

(Sent to: General Manager, Transportation Services; Toronto Pedestrian Committee; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning and Development Services; Mr. Martin Maguire, Acting Manager, East Traffic Region, Transportation Services; Ms. Rhona Swarbrick, Co-Chair, Toronto Pedestrian Committee - October 19, 1998)

**(Report No. 12 - Clause No. 9)**

**313. Sheppard Subway - Status of Permits and Approvals.**

The Committee had before it the following communications:

- (I) (May 21, 1998) General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission on May 20, 1998, considered Report No. (27), entitled "Sheppard Subway Status of Permits and Approvals"; that the Commission received the subject report for information and approved the following:
- (1) that staff report on the critical path for completion of the Sheppard Subway, including tenders, site plan approvals, building permits, design work, tunneling work and any other appropriate deadlines associated with the project; and further

- (2) that any site plan approval conditions which add costs beyond the approved budget for the Sheppard Subway project be forwarded to the City Budget Committee and City Council for additional project and funding approval;

and stating that the foregoing is forwarded for the information of the City of Toronto Council.

- (ii) (July 30, 1998) from the Chief General Manager, Toronto Transit Commission, responding to a request made by the Urban Environment and Development Committee for a full report on the potential cost overruns on the Sheppard Subway project; submitting a copy of the briefing given to the Toronto Transit Commission on July 9, 1998, which covers the potential cost overruns; advising that the TTC does not expect to have any more information until after September 8, 1998; and that staff will be present at the September 8, 1998 meeting of the Committee to respond to any questions.
- (iii) (August 31, 1998) addressed to the Toronto Transit Commission from the Chief General Manager of the Commission and the Commissioner of Urban Planning and Development Services regarding building permits for the Sheppard Subway; and specifying the outstanding issues that must be resolved prior to the issuance of the remaining permits and approvals.

On motion by Councillor Moscoe, the Committee received the aforementioned communications.

**(Report No. 12 - Clause No. 15(a))**

**314. Wheel-Trans Vehicle Replacement.**

The Committee had before it the following communications:

- (i) (September 24, 1998) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission on September 23, 1998, approved the Recommendations contained in Report No. (6), entitled "Wheel-Trans Vehicle Replacement"; and
- (ii) (October 5, 1998) from the Chief General Manager, Toronto Transit Commission (TAC), regarding the purchase of Wheel-Trans buses; advising that an evaluation of the continuous delivery option of ELF buses, combined with an accelerated retirement of the Orion II vehicles, would result in net overall savings of approximately \$2.0 million; that, however, the continuous delivery option would require an increase to the 1999 and 2000 Operating Budgets which is significantly

higher than the staggered delivery option; and stating that while City Council needs to consider the overall impact to the City of bringing forward the purchase, either approach is acceptable to the TAC.

On motion by Councillor Moscoe, the Committee recommends:

- (A) the adoption of:
- (1) additional project approval and financing of \$10.1 million for City Project No. 415, "127 Wheel-Trans Vehicle Replacements (Orion II)"; noting that such additional project approval and financing is required no later than October 30, 1998, at which time the bids expire; and
  - (2) an increase of \$800,000.00 in the 1998 Wheel-Trans Operating Budget, subject to successful negotiations between the Toronto Transit Commission and Overland Custom Coach Inc. regarding the delivery of 14 ELF low-floor buses in 1998; and
- (B) that the communication (October 5, 1998) from the Chief General Manager, Toronto Transit Commission, be forwarded to the Budget Committee for consideration.

(Budget Committee; Copy to: General Secretary, Toronto Transit Commission; Chief General Manager, Toronto Transit Commission; Ms. Wanda Liczyk, Chief Financial Officer and Treasurer; Mr. Shekhar Prasad, Director, Budget Services Division, Finance Department; Mr. John Di Lallo, Finance Division; Mr. Andres Hachard, Finance Division; - October 6, 1998)

**(Report No. 12 - Clause No. 15(b))**

**315. Non-Concurrence with Request for Traffic Control Signals:  
Midland Avenue and Lockie Avenue.**

The Committee had before it a report (July 30, 1998) from the General Manager, Transportation Services reporting on the results of the traffic signal warrant studies conducted at Midland Avenue and Lockie Avenue, in response to concerns raised by members of the public about the operation of the existing pedestrian crossover (PXO) at this location; stating that the technical warrants for the installation of traffic control signals are



not met at the aforementioned intersection; that the location is suitable for a PXO; and recommending that this report be received for information.

On motion by , the Committee recommends that:

- (1) traffic control signals be installed at the intersection of Midland Avenue and Lockie Avenue; and
- (2) the necessary funding therefor be made available from Account No. 70697-00000-00000-853, Section 37 agreement - Monarch Construction Ltd. - \$85,000.00.

**(Report No. 12 - Clause No. 10)**

The Urban Environment and Development Committee recessed at 12:29 p.m. to reconvened at 2:00 p.m.

The Urban Environment and Development Committee reconvened at 2:13 p.m.

Members Present:

Councillor Joe Pantalone, Chair  
Councillor Ron Moeser, Vice-Chair  
Councillor Frank Faubert  
Councillor Irene Jones  
Councillor Blake Kinahan  
Councillor Pam McConnell  
Councillor Howard Moscoe  
Councillor July Sgro

Regrets:

Councillor Peter Li Preti  
Councillor Mario Silva  
Councillor Mike Tzekas  
Mayor Mel Lastman

**316. Vital Services in Rental Residential Properties  
in the City of Toronto.**

The Committee had before it the following reports and communication:

- (i) (October 1, 1998) from Councillor Joe Pantalone, Chair, Urban Environment and Development Committee recommending that:
  - (1) the City of Toronto not enact a Vital Services By-law under the authority of the Tenant Protection Act, 1997;
  - (2) Council establish a working group comprised of representatives of Municipal Standards, Public Health, other staff members as necessary, and relevant utility/fuel suppliers to establish policies in respect to discontinuing service/supply;
  - (3) staff monitor these policies in action, and report back to the Urban Environment and Development Committee on the success of the working group at the end of the current heating season (September, 1998 to June, 1999);
  - (4) staff report to the Urban Environment and Development Committee incidents where the working group was unable to resolve an issue and as a result, a vital service was discontinued;
  - (5) staff prepare an information sheet with respect to the new vital services process which will provide pertinent information, staff contacts, and emergency telephone numbers for distribution to staff and members of Council; and
  - (6) the Energy Efficiency Office of the City of Toronto assist staff and provide input with regard to vital services issues;

advising that the issue of vital services has been the subject of a number of reports to the Urban Environment and Development Committee, as well as the Council Strategy Committee for People Without Homes; that there is now general agreement among staff as to an approach to be taken to address this issue; and stating that these recommendations reflect that consensus.

- (ii) (undated) from Councillor Pam McConnell, Don River, submitting a draft motion with respect to a vital services by-law, for consideration by the Urban Environment and Development Committee.
- (iii) (October 3, 1998) from Councillor Jack Layton, Don River, advising that based on information provided by a representative of Consumers Gas, he is no longer

confident that the establishment of a working group will be an effective strategy for preventing service discontinuation this winter; and recommending that:

- (1) the City enact a Vital Services By-law that would include the following provisions:
    - (a) a requirement that utility service providers give 30 days notice to the City prior to service discontinuation for non-payment of account; and
    - (b) mechanisms for municipal payment of delinquent utility accounts by residential landlords and for full cost recovery for municipal expenses incurred in the administration of the by-law; and
  - (2) the necessary staff including the City Solicitor report on this by-law and provide a draft by-law to City Council for consideration at its October 28, 1998 meeting.
- (iv) (September 28, 1998) from the City Clerk, advising that the Council Strategy Committee for People without Homes recommended to the Urban Environment and Development Committee, the adoption of the recommendation contained in the report (September 22, 1998) from the Commissioner of Community and Neighbourhood Services, viz:
- “(1) support the proposal made by the Commissioner, Urban Planning and Development Services in the report dated August 24, 1998, to establish a working group comprised of representatives from Municipal Standards, Public Health, and relevant utility/fuel providers to establish policies in respect to discontinuing service/supply, and to monitor these policies in action for a least one year, prior to considering the enactment of a Vital Services By-law. The goal of these policies is to minimize the number of situations under which Emergency Orders would be used by the City by ensuring that the utility/fuel providers give the City sufficient notice of planned discontinuance to allow for proper evaluation of specific situations and provide the opportunity to apply alternative solutions.”;

subject to adding the following recommendations:

- (2) that staff participating on the proposed Working Group, which will establish and monitor policies prior to considering the enactment of a Vital Services By-law, report to the Council Strategy Committee for People without Homes, after one year;
- (3) that staff bring forward any occurrences of an emergency nature, which could not be resolved in discussions between staff, the utilities, landlords and/or

- tenants, with regard to the lack of provision of vital services, to the Council Strategy Committee for People without Homes;
- (4) staff prepare an information sheet for distribution to other staff and all Members of Council, which will provide pertinent information on the City's new process, staff contacts and emergency phone numbers with regard to Vital Services; and
- (5) the Energy Efficiency Office of the City of Toronto also assist staff and provide input with regard to the Vital Services issue.
- (v) (August 24, 1998) from the Commissioner of Urban Planning and Development Services advising that staff are of the opinion that a Vital Services By-law should not be enacted under current legislation as it could put the City in the position of having significant and potentially non-recoverable funds owing; that other mechanisms are available to address the risk to vulnerable persons without incurring the high administrative costs and uncertainty of recovery of funds; that legislation exists to allow Toronto Hydro essentially the same power of recovery of outstanding bills as under the former City of Toronto's "Urgent Hazards Program"; that the policy of Consumers Gas notes that "gas service may be discontinued only as a last resort", and the company advises that it would generally not cut service in the winter where vulnerable persons would be at risk; stating that prior to considering enacting a Vital Services By-law, it would be appropriate for a working group, comprised of representatives from Municipal Standards, Public Health, and the relevant utilities or fuel providers, to establish policies with respect to discontinuing service/supply, and to monitor these policies in action for at least one year; explaining that it is possible to minimize the number of situations under which Emergency Orders (either under a Property Standards By-law, or the *Health Protection and Promotion Act*) would have to be used by ensuring that the utility companies provide sufficient notice of planned cutoff to allow for proper evaluation of specific situations and to provide the opportunity to apply alternative solutions; and recommending that this report be received as information.
- (vi) (August 24, 1998) from the Medical Officer of Health, advising that Public Health staff met with representatives from agencies and organizations that serve tenants and persons living in poverty on August 13, 1998 to discuss possible health impacts to residents should the City not intervene to restore cut-off vital services; stating that the health of the residents of Toronto could be compromised if vital services are turned off; further advising that the August 24, 1998 report of the Commissioner of Urban Planning and Development Services has been reviewed, and the idea of a working group to review anticipated service cut-offs before they occur is supported; however, there are concerns about the feasibility of using the *Health Protection and Promotion Act* as a remedy in these circumstances; and recommending that:

- (1) this report be received for information; and
  - (2) the City Solicitor be requested to review the feasibility and conditions under which the *Health Protection and Promotion Act*, c.H.7, R.S.O. 1990 could be applied in situations involving the discontinuation of vital services.
- (vii) (September 3, 1998) from the City Solicitor responding to a request made by the Urban Environment and Development Committee on September 8, 1998, to submit a report on Recommendation No. (2) embodied in the report dated August 24, 1998, from the Medical Officer of Health; advising that the Province has delegated extensive authority to municipalities to regulate municipal maintenance standards and vital services; however, this authority does not exist in the *Health Protection and Promotion Act*; that, therefore, it is unlikely that the Act can be used to regulate municipal maintenance standards or vital services; stating that the *Health Protection and Promotion Act* has, as its focus, community health protection and promotion; that any attempt to rely on the "health hazard" provisions of that Act should be made on a case-by-case basis after consideration has been given to both the context of the situation and the scope and intent of the Act; further advising that he was also requested to report on the timing implications for tenants who use the provincial Tribunal process for prosecution/enforcement of vital services issues; explaining that the Ontario Rental Housing Tribunal's Scheduling Hearing Standards from its policy manual indicates that there is no fee for a hearing regarding the landlord's having withheld or interfered with the supply of vital services, and that the tribunal hearing should take place approximately 11 days from the date the tenant applies to the Tribunal for relief; and recommending that this report be received for information.
- (viii) (June 10, 1998) from the Commissioner of Urban Planning and Development Services recommending that the City of Toronto not enact a vital services by-law under authority of the *Tenant Protection Act*, given the expected high cost of its administration and potential for financial risk to the City; advising that, in the event that Council chooses not to adopt the aforementioned recommendation and, instead, chooses to enact a Vital Services By-law, then that action would require the reversal of Council's previous budgetary decision to discontinue the former City of Toronto's "urgent hazard" program in order to commit funds now to the staffing and administration of a vital services program in the amount of \$60,000.00 for 1998 and \$120,000.00 annualized thereafter; that, in addition, historically the former City of Toronto committed funds, ranging from \$500,000.00 to \$1,000,000.00 annualized, to the restoration of utilities in rental residential properties; explaining that under authority of the *City of Toronto Act*, these funds were recoverable as they were collectible through the municipal realty tax process; that any future funds to be expended by the City to restore such utilities under a vital services by-law would be at great risk of being unrecoverable, given that the enabling legislation does not provide for such funds to be placed on the tax rolls; stating that the current legislation provides for a lien to be placed against the property and/or for the City

to have tenants pay rents directly to the City; and suggesting that City Council seek to rely instead on general enforcement of municipal standards regulations through prosecution by the City as necessary, as well as on procedures which are currently being put into place under the *Tenant Protection Act* for tenants to seek prosecution activity through the Provincial Tribunal specifically regarding vital services.

- (ix) (June 9, 1998) from the City Solicitor reviewing the potential implications of the motion referred by City Council at its meeting of May 13 and 14, 1998, which proposes that the City enact a by-law requiring providers of vital services to adopt a program whereby the service providers would continue to provide services to tenanted properties despite the landlord's failure to make utility payments; advising that City Council lacks the authority to enact such a by-law; that Council may require utility companies to give 30 days notice of the intention to discontinue service for non-payment; however, after the 30-day period has elapsed, Council cannot require continuation of the service without payment to the utility company; and recommending that this report be received for information.
- (x) (August 10, 1998) from the City Clerk enclosing, for information and any attention deemed necessary, Clause No. 3 contained in Report No. 9 of The Urban Environment and Development Committee, headed "Vital Services in Rental Residential Properties in the City of Toronto", which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on July 29, 30 and 31, 1998; such action, in effect, being that City Council received the report dated July 15, 1998, from the City Solicitor.
- (xi) (October 5, 1998) from the Rooming House Working Group outlining the benefits of a vital services by-law; and recommending that the City re-examine the issue of passing such a by-law in light of community concerns.
- (xii) (October 5, 1998) from Ms. Dianne Urquhart, Community Legal Worker, Scarborough Community Legal Services, in support of the passage of a vital services by-law for the City of Toronto.
- (xiii) (September 25, 1998) from Dixon Hall Neighbourhood Centre, providing comments with respect to the proposal to replace the "Urgent Hazard Program" with a vital services program and outlining potential impacts such a change would have on the Centre's clients.

The following persons appeared before the Urban Environment and Development Committee in connection with the foregoing matter:

- (1) Mr. Howard Tessler, Executive Director, Federation of Metro Tenants' Associations; and filed a written brief with respect thereto;

Urban Environment and Development Committee Minutes  
Monday, October 5, 1998

---

- (2) Ms. Elinor Mahoney, Parkdale Community Legal Services; and filed a written brief with respect thereto;
- (3) Mr. Matthew Akman, Manager of Municipal Relations; Mr. Dave Morton, Director of Collections; and Mr. Mark Boyce, Legal Counsel, Consumers Gas;
- (4) Mr. Bryan Tutte, Vice-President, Customer Service Toronto Hydro;
- (5) Ms. Virginia Loescher, on behalf of Ms. Barbara Lidster, Toronto; and filed Ms. Lidster's written brief with respect thereto;
- (6) Mr. Steve Cruickshank, East Toronto Community Legal Services Inc.; and filed a written brief with respect thereto;
- (7) Mr. Timothy Maxwell, Community Development Officer, Kensington-Bellwoods Community Legal Services; and filed a written brief with respect thereto;
- (8) Ms. Lavinia Inbar, HIV and AIDS Legal Clinic; and
- (9) Mr. Jim Neff, South Riverdale Community Health Centre; and filed a written brief with respect thereto.

On motion by, the Committee:

- (1) requested the City Solicitor, in consultation with the Commissioner of Urban Planning and Development Services, to draft a Vital Services By-law which:
  - (a) references the mechanisms to ensure continuing vital services, and full cost recovery of municipal expenses incurred in so doing; and
  - (b) includes a requirement that utility service providers give 30 days' notice to the City prior to service discontinuation for non-payment of account;
- (2) requested the City Solicitor to submit the draft Vital Services By-law, together with a report thereon, to Council for consideration at its meeting scheduled to be held on October 28, 1998;
- (3) requested the Chief Financial Officer and Treasurer to submit a report directly to Council for consideration with this matter on October 28, 1998, on whether the provision of vital services by the City would be fully cost-recoverable;
- (4) requested the Commissioner of Urban Planning and Development Services and the City Solicitor to discuss this matter with representatives of the Metropolitan Federation of Tenants, and to submit a report thereon, if necessary, directly to Council for consideration with this matter on October 28, 1998; and

Urban Environment and Development Committee Minutes  
Monday, October 5, 1998

---

- (5) recommended that Council:
- (a) establish a working group comprised of representatives of Municipal Standards, Public Health, other staff members as necessary, and relevant utility/fuel suppliers, to establish policies with respect to discontinuing service/supply;
  - (b) request the Commissioner of Urban Planning and Development Services to:
    - (i) monitor these policies in action, and report back to the Urban Environment and Development Committee on the success of the working group at the end of the current heating season (September 1998 to June 1999);
    - (ii) report to the Urban Environment and Development Committee incidents where the working group was unable to resolve an issue and, as a result, a vital service was discontinued; and
    - (iii) prepare an information sheet with respect to the new vital services process which will provide pertinent information, staff contacts, and emergency telephone numbers for distribution to staff and Members of Council;
  - (c) request the Energy Efficiency Office of the City of Toronto to assist staff and provide input with regard to vital services issues; and
  - (d) request Toronto Hydro to consider adoption of a program of debt recovery such that tenants are not put at risk.

(Sent to: City Solicitor; Commissioner of Urban Planning and Development Services; Chief Financial Officer and Treasurer; Copy to: Chair, Urban Environment and Development Committee; Councillor Jack Layton, Don River; Councillor Pam McConnell, Don River; Medical Officer of Health; Commissioner, Community and Neighbourhood Services; Ms. Joanne Campbell, General Manager, Shelter, Housing and Support; Mr. Yaman Uzumeri, Executive Director and Chief Building Official; Mr. Harold Bratten, Director, Municipal Standards Divisions, City Planning; Mr. Paul Bedford, Executive Director, City Planning, Metro Hall; Ms. Wendy Walberg, Legal Services; Ms. Jane Speakman, Legal



Services; Mr. Dave Harrison, Manager, Environmental Health Services; Ms. Judi McBurney, Technical Advisor, Buildings Division; Interim Contact, Council Strategy Committee for People Without Homes; Mr. Howard Tessler, Executive Director, Federation of Metro Tenants' Associations; Ms. Elinor Mahoney, Parkdale Community Legal Services; Mr. Matthew Akman, Manager of Municipal Relations; Mr. Dave Morton, Director of Collections; and Mr. Mark Boyce, Legal Counsel, Consumers Gas; Mr. Bryan Tutte, Vice-President, Customer Service Toronto Hydro; Ms. Virginia Loescher, on behalf of Ms. Barbara Lidster, Toronto; and Ms. Lidster's; Mr. Steve Cruickshank, East Toronto Community Legal Services Inc.; Mr. Timothy Maxwell, Community Development Officer, Kensington-Bellwoods Community Legal Services; Ms. Lavinia Inbar, HIV and AIDS Legal Clinic; Mr. Jim Neff, South Riverdale Community Health Centre; Ms. Ina Robinson, Clerks Division; All Interested Persons - October 9, 1998)

**(Report No. 12 - Clause No. 1)**

**317. Processing of Requests and Criteria for "Intervenor Funding".**

The Committee had before it a report (September 17, 1998) from the City Solicitor, Chief Financial Officer and Treasurer, and the Commissioner of Urban Planning and Development Services recommending that:

- (1) any requests from community groups for funding to participate in Ontario Municipal Board hearings be forwarded to the Commissioner of Urban Planning and Development Services;
- (2) the Commissioner of Urban Planning and Development Services be directed to prepare a report to the Urban Environment and Development Committee on each request recommending how Council should respond to the request for funding; and
- (3) Council not adopt criteria for considering requests from community groups for participation in Ontario Municipal Board hearings.

On motion by , the Committee recommends:

- (A) the adoption of the aforementioned joint report (September 17, 1998) from the City Solicitor, the Chief Financial Officer and Treasurer, and the Commissioner of Urban Planning and Development Services, viz:

“It is recommended that:

- (1) any requests from community groups for funding to participate in Ontario Municipal Board hearings be forwarded to the Commissioner of Urban Planning and Development Services;
  - (2) the Commissioner of Urban Planning and Development Services be directed to prepare a report to the Urban Environment and Development Committee on each request, recommending how Council should respond to the request for funding; and
  - (3) Council not adopt criteria for considering requests from community groups for participation in Ontario Municipal Board hearings.”;
- (B) that Council select Policy Option (1), viz:
- “(1) Do not support intervenor funding but continue on a case-by-case basis.”; and
- (C) that the Commissioner of Urban Planning and Development Services be directed to monitor any requests for intervenor funding over a one-year period, and to submit a report thereon to the Urban Environment and Development Committee.

**(Report No. 12 - Clause No. 3)**

**318. Cash Payment-In-Lieu of Parking Related to Development Applications.**

The Committee had before it the following report and communication:

- (1) (September 10, 1998) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Planning and Development Services recommending that the Commissioners of Works and Emergency Services and Urban Planning and Development Services be requested to report jointly, at the appropriate time, to the Urban Environment and Development Committee recommending consolidated policies and practices for the new City with respect to cash payment-in-lieu of parking related to development applications; and providing background information

Urban Environment and Development Committee Minutes  
Monday, October 5, 1998

---

and a brief summary of the current policies and procedures in the former municipalities with respect to cash payment-in-lieu of parking related to development applications; and

- (2) (July 29, 1998) from the City Clerk stating that the East York Community Council on July 22, 1998, advised the Urban Environment and Development Committee to consider the following position put forth by the Community Council:
- (i) that the City consider implementing a policy whereby cash-in-lieu of parking applications be circulated to all residents and businesses within a 60-metre radius of the property noted within the application; and
  - (ii) that a comprehensive review/analysis be undertaken throughout the City of Toronto with respect to the parking space costs for cash-in-lieu of parking.

On motion by Councillor Moscoe, the Committee recommends:

- (1) the adoption of the aforementioned joint report (September 10, 1998) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Planning and Development Services, subject to amending the Recommendation by adding the words “and the Chief General Manager, Toronto Transit Commission” after the words “Urban Planning and Development Services”; so that the Recommendation now reads as follows:

“That the Commissioners of Works and Emergency Services and Urban Planning and Development Services, and the Chief General Manager, Toronto Transit Commission, be requested to report jointly, at the appropriate time, to the Urban Environment and Development Committee recommending consolidated policies and practices for the new City with respect to cash payment-in-lieu of parking related to development applications.”; and

- (2) that the Commissioners of Works and Emergency Services and Urban Planning and Development Services, and the Chief General Manager, Toronto Transit Commission, in developing the aforementioned consolidated policies, be requested to recognize the relationship between parking deficiencies and transit:

**(Report No 12 - Clause No. 4)**

**319. Non-Concurrence with the Proposed Installation of Traffic Control Signals on Cherry Street at Commissioners Street.**

The Committee had before it the following report and communication:

- (i) (May 20, 1998) from the Interim Functional Lead, Transportation responding to a request from the Toronto Community Council to study the feasibility of installing traffic control signals at the intersection of Cherry Street and Commissioners Street; advising that an audit of the physical suitability of the pedestrian crossover (PXO) at this intersection did not reveal any characteristics which would make this location unsuitable for a PXO, and that staff of the former City of Toronto report that the PXO has been operating satisfactorily since it was installed in 1984; that, after reviewing the potential impacts of redevelopment and reconstruction in the area, staff have concluded that traffic control signals will not likely be required at the aforementioned intersection in the next few years; and recommending that the installation of traffic control signals at the intersection of Cherry Street and Commissioners Street not be approved; and
- (ii) (September 23, 1998) from the City Clerk advising that the Toronto Cycling Committee on September 22, 1998, recommended to the Urban Environment and Development Committee that consideration of the foregoing report dated May 20, 1998 from the Interim Functional Lead, Transportation, be further deferred until such time as the Network/Bicycle Planning Sub-Committee of the Toronto Cycling Committee has met on-site to consider the issue of traffic safety.

On motion by, the Committee:

- (1) again deferred consideration of the report (May 20, 1998) from the Interim Functional Lead, Transportation, until such time as the Toronto Cycling Committee has had an opportunity to review the safety issues at the intersection of Cherry Street and Commissioners Street;
- (2) requested the General Manager, Transportation Services, to submit up-to-date Police statistics when this matter is again before the Urban Environment and Development Committee for consideration; and
- (3) received the aforementioned communication (September 23, 1998) from the City Clerk.

(Sent to: Toronto Cycling Committee; General Manager, Transportation Services; Copy to: Commissioner of Works and Emergency Services; Commissioner of Urban Planning and Development Services;

Ms. Jacqueline White, Acting Manager, Central Traffic Region,  
Transportation Services Division - October 19, 1998)

**(Report No. 12 - Clause No. 15(c))**

**320. Feasibility of Burying the F. G. Gardiner Expressway.**

On motion by Councillor Faubert, the Committee requested the General Manager, Transportation Services, to submit a report to the November 30, 1998 meeting of the Committee on the feasibility of burying the F. G. Gardiner Expressway.

(General Manager, Transportation Services; Copy to: Commissioners of Works and Emergency Services; Commissioner of Urban Planning and Development Services; Mr. Tom Mulligan, Director, Transportation Programming and Policy, Transportation Services Division - October 19, 1998)

**(Report No. 12 - Clause No. 15(d))**

The Committee adjourned its meeting at 3:45 p.m.

---

Chair.