

**THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Planning and Transportation Committee**

**Meeting No. 3**

**Monday, September 13, 1999.**

The Planning and Transportation Committee met on Monday, September 13, 1999, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

**Members Present:**

Councillor Joanne Flint, Chair  
Councillor Pam McConnell, Vice-Chair  
Councillor Maria Augimeri  
Councillor Milton Berger  
Councillor John Filion  
Councillor Anne Johnston  
Councillor Blake F. Kinahan  
Councillor Gloria Lindsay Luby  
Councillor Howard Moscoe  
Councillor Dick O'Brien  
Councillor Joe Pantalone

**Declaration of Conflict.**

None declared.

**Confirmation of Minutes.**

On motion by Councillor Pantalone, the Minutes of the meeting of the Planning and Transportation Committee held on July 12, 1999, were confirmed.

**3.1 Organizational Structure for the New Committee of Adjustment**

The Committee had before it the report (August 26, 1999) from the Acting Commissioner of Urban Planning and Development Services recommending an organizational structure for a new city-wide Committee of Adjustment, as requested by City Council prior to proceeding with the nomination process and subsequent

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appointments, advising that the City Solicitor will submit the draft enabling by-law which is required by the Planning Act, and recommending that:

- (1) this report be referred to the Community Councils for review and comment to the Planning and Transportation Committee for its November 1, 1999 meeting;
- (2) Council approve the following structure for the new Committee of Adjustment for the City of Toronto:
  - (i) the Committee operate as four District Panels corresponding with the four geographic Districts through which City Planning services are delivered;
  - (ii) the Committee comprise a total of 22 members assigned and nominated as follows:

North District: 5 members	all nominated by North York Community Council;
South District: 7 members	all nominated by Toronto Community Council;
East District: 5 members	2 nominated by East York Community Council; and 3 nominated by Scarborough Community Council;
West District: 5 members	2 nominated by York Community Council; and 3 nominated by Etobicoke Community Council;
  - (iii) the Committee appoint a city-wide Chair, to provide leadership for the Committee and each Panel appoint a District Chair to guide the process at the local level;
  - (iv) each Hearing be conducted by three of the respective District Panel members, the sitting members to be assigned on a rotational basis;
  - (v) each Committee Hearing be held during regular business hours; and
  - (vi) the Committee's four District Panels conduct Hearings in the following four locations: Toronto City Hall and the North York, Scarborough and Etobicoke civic centres;
- (3) the City Solicitor be requested to prepare a by-law for presentation to and approval by City Council to constitute one Committee of Adjustment for the

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City of Toronto and to delegate approval authority to hear applications for minor variance/permission and for the creation of new lots by consent, as permitted by the Planning Act;

- (4) City Council direct the City Clerk's Division, Corporate Services Department to commence the process for nominations by the Community Councils;
- (5) the Committee of Adjustment, when constituted, be requested to appoint the City Planning Executive Director/Chief Planner or delegate(s) as its Secretary-Treasurer; and
- (6) the Acting Commissioner of Urban Planning and Development Services submit a report to City Council, at the beginning of its next term, evaluating the new Committee of Adjustment's organizational structure.

On motion by Councillor McConnell, the Committee:

- (1) referred Recommendation (2) to (6) of the report (August 26, 1999) from the Acting Commissioner of Urban Planning and Development Services and the following motions to Community Councils for review and comment to the Planning and Transportation Committee for its November 1, 1999 meeting:

“Moved by Councillor McConnell:

“That Recommendation 2(iii) of the report (August 26, 1999) be amended to clarify that it is the Committee of Adjustment that appoints a City-wide Chair, so as to read:

“2(iii) the Committee of Adjustment appoint a City-wide Chair to provide leadership for the Committee and each Panel appoint a District Chair to guide the process at the local level”; and”

“Moved by Councillor Berger:

“That the membership of the Committee of Adjustment consist of 5 members, chaired by the Secretary-Treasurer.”

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On motion by Councillor Moscoe, the Committee:

- (2) requested the Acting Commissioner of Urban Planning and Development Services to report to the next meeting of the Planning and Transportation Committee on October 4, 1999, and to the Community Councils, if possible:
  - (a) with a compilation of sample staff reports utilized by each of the Committees of Adjustment for review by the Planning and Transportation Committee with a view to recommending a standard format;
  - (b) on how the process could be structured to allow for evening meetings where requested;
  - (c) on a “bump-up” provision for evening meetings made at the request of a City Councillor;
  - (d) on the right of a City Councillor to defer a hearing for additional community input;
  - (e) on amending the second “Basic Qualification for Appointment to the Committee of Adjustment” contained in Appendix 3 of the report (August 26, 1999) from the Acting Commissioner of Urban Planning and Development Services by deleting the words “and/or municipal property taxpayer in”, so as to read:

“Any person applying for appointment shall be, and must maintain status throughout their term of office as:

    - a resident of the City of Toronto
    - a Canadian citizen or landed immigrant
    - at least 18 years of age”
  - (f) on a Committee of Adjustment fee increase to accommodate an increase in the membership of the panels, as follows:

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- north, east and west panels to 7 members with 5 members sitting per session; and
- south district panel to 9 members

On motion by Councillor Pantalone, the Committee:

- (3) requested the Acting Commissioner of Urban Planning and Development Services to give a presentation on the organizational structure for the new Committee of Adjustment when it considers this matter and the comments from the Community Councils.

(Acting Commissioner of Urban Planning and Development Services, East York Community Council, Etobicoke Community Council, North York Community Council, Scarborough Community Council, Toronto Community Council, York Community Council - September 14, 1999)

**(Clause 5(a), Report No. 4)**

### **3.2 Order to Prohibit Rent Increases (O.P.R.I.'s)**

The Committee had before it the report (August 24, 1999) from Councillor Michael Walker, Chair, Sub-Committee to Restore Rent Control requesting that the Planning and Transportation Committee consider the matter of outstanding Orders Prohibiting Rent Increases (OPRI's) issued before the Tenant Protection Act which came into effect on June 17, 1999 against negligent landlords who have failed to comply with building code standards, and recommending that the Planning and Transportation Committee recommend that City Council request the Province of Ontario to amend the Tenant Protection Act to restore the municipalities' ability to apply to the Province to issue OPRI work orders against problem addresses in order to achieve compliance with building code standards.

On motion by Councillor Augimeri, the Committee recommended to Council that the Province of Ontario be requested to amend the Tenant Protection Act to restore the municipalities' ability to apply to the Province to issue Orders Prohibiting Rent Increases work orders against problem addresses in order to achieve compliance with building code standards.

**(Clause No. 1, Report No. 4)**

### 3.3 Tenant Defence Fund

The Committee had before it the report (August 24, 1999) from Councillor Michael Walker, Chair, Sub-Committee to Restore Rent Control requesting that the Planning and Transportation Committee endorse the Sub-Committee to Restore Rent Control's recommendation to establish a Tenant Defence Fund, in principle, to assist tenants and tenant associations in opposing unreasonable "above-guideline" rent increases, and recommending that:

- (1) the Planning and Transportation Committee recommend to City Council the establishment of a Tenant Defence Fund, in principle, that would provide assistance to tenants and tenant associations wishing to oppose unreasonable "above-guideline" rent increases at the Ontario Rental Housing Tribunal;
- (2) this fund be used to hire on an on-going basis;
  - (a) two tenant consultants/organizers who could assist tenants in effectively organizing and presenting their case at the Ontario Rental Housing Tribunal hearings; and
  - (b) one construction engineer/consultant who could testify as an expert, on behalf of the tenants at Ontario Rental Housing Tribunal hearings; and
- (3) the Planning and Transportation Committee request the appropriate city staff to develop an implementation strategy for the Tenant Defence Fund giving consideration to:
  - (a) options such as hiring the required staff internally to work in the Shelter, Housing Support Division; issuing a Request for Proposal to solicit individuals outside the corporation; or, involving the Federation of Metro Tenants' Association; and
  - (b) establishing a system and criteria for managing the Tenant Defence Fund, including the possibility of providing intervenor funding to groups needing assistance.

On motion by Councillor O'Brien, the Committee:

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- (1) referred the report (August 24, 1999) from the Chair and Members of the Sub-Committee to Restore Rent Control to the Commissioner of Community and Neighbourhoods Services, with a request that she report thereon, in consultation with the Chief Financial Officer and the Acting Commissioner of Urban Planning and Development Services;

On motion by Councillor Lindsay Luby, the Committee amended Councillor O'Brien's foregoing motion by adding the following:

- (2) "to the Planning and Transportation Committee's next meeting on October 4, 1999 for subsequent submission to the Policy and Finance Committee at its October 14, 1999 meeting and thereon to Council for its October 26, 1999 meeting"; and

On motion by Councillor Lindsay Luby, the Committee:

- (3) requested the Commissioner of Community and Neighbourhood Services to develop various scenarios as to how the needs, as outlined in the report from the Sub-Committee to Restore Rent Control, can be staffed and fulfilled, identify the level of cost in responding to these needs and define the term 'unreasonable "above-guideline" rent increases' referred to in the Sub-Committee's report.

The following motion placed by Councillor Kinahan was voted on and lost:

"That Councillor O'Brien's motion be referred to the Commissioner of Community and Neighbourhood Services for report directly to City Council."

The following motions were deemed redundant:

By Councillor McConnell:

"That Recommendation (1) of the report (August 24, 1999) from the Chair and Members of the Sub-Committee to Restore Rent Control be amended by deleting the words "in principle" .

By Councillor Augimeri:

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- “(1) That Recommendations (1) and (2) of the report (August 24, 1999) from the Chair and Members of the Sub-Committee to Restore Rent Control, as amended by Councillor McConnell, be adopted;
- (2) that Recommendation (3) be adopted and that the requested report be submitted to Policy and Finance for its September 16, 1999 meeting; and
- (3) that the report (August 24, 1999) and the Committee’s recommendations in this report be submitted to the Policy and Finance Committee for its September 16, 1999 meeting as the financial impact of the report’s recommendations will require an in-year change to the approved budget.”

(Commissioner of Community and Neighbourhood Services, Chief Financial Officer, Acting Commissioner of Urban Planning and Development Services; cc: Councillor Walker, Chair, Sub-Committee to Restore Rent - September 14, 1999)

**(Clause No. 5(b), Report No. 4)**

**3.4 Appeal of Scarborough By-law No. 24965 by Former Municipality of Metropolitan Toronto (W96002) Birchcliffe Community (Ward 13 - Scarborough Bluffs)**

The Committee had before it the report (August 18, 1999) from the Acting Commissioner of Urban Planning and Development Services to resolve an intra-municipal appeal outstanding on the files of the Ontario Municipal Board, and recommending that:

- (1) the former Metro owned lands, shown on the sketch attached to this report, be retained for open space purposes and become part of the City’s Park land inventory and be placed under the jurisdiction of the Commissioner of Economic Development, Culture & Tourism;



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- (2) the Ontario Municipal Board be advised that the appeal of Scarborough By-law No. 24965 is hereby withdrawn;
- (3) the Minister of Municipal Affairs and Housing be requested to now approve Scarborough By-law No. 24965 together with that portion of Scarborough Official Plan Amendment No. 972 for which no decision has been made; and
- (4) the appropriate City Officials be authorized to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the report (August 18, 1999) from the Acting Commissioner of Urban Planning and Development Services.

**(Clause No. 2, Report No. 4)**

**3.5 Parkdale Deck - Status Report (Ward 19 - High Park and Ward 20 - Trinity-Niagara)**

The Committee had before it the report (June 30, 1999) from the Commissioner of Urban Planning and Development Services providing background and comment on the Parkdale Deck proposal and recommending that this report be received for information.

On motion by Councillor Pantalone, the Committee received the report (June 30, 1999) from the Commissioner of Urban Planning and Development Services and forwarded same to the Official Plan Reference Group and the Toronto Olympic Committee for comment.

(Official Plan Reference Group, Toronto Olympic Committee; cc: Acting Commissioner of Urban Planning and Development Services - September 14, 1999)

**(Clause No. 5(c), Report No. 4)**

**3.6 Report of the Toronto Hoof and Cycle Courier Coalition: "Choking Us to Death: the Air Pollution Crisis and its Effects on Bicycle Couriers"**

The Committee had before it the report (July 22, 1999) from the City Clerk forwarding the following recommendations from the Toronto Cycling Committee at its meeting on July 19, 1999, that:

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- (1) free transit be available on air quality advisory days, particularly for seniors and children;
- (2) a Smog Action Day be introduced in the City of Toronto, identifying ways and means of reducing smog;
- (3) the anti-idling by-law be amended, so as to limit the amount of idling time to less than three minutes and remove the upper limit on the temperature, currently provided for in the by-law at 27 degrees centigrade;
- (4) air quality advisory messages which alert people to the risk of being outdoors on high risk days, include a request that motorists refrain from using their vehicles;
- (5) all City of Toronto enforcement staff, including Parking Enforcement Officers, be fully informed regarding the importance of ticketing motorists for idling offences, particularly on air quality advisory days;
- (6) the report of The Toronto Hoof and Cycle Courier Coalition be forwarded to the senior levels of government, for information;
- (7) special priority be given to bicycle facilities in the suburban part of the City; and
- (8) all proposals for bicycle lanes be submitted to the Toronto Cycling Committee, wherever possible, for comment prior to adoption.

The Committee also had before it a communication (September 12, 1999) from Joan Doiron, Co-chair, Toronto Pedestrian Committee.

On motion by Councillor Moscoe, the Committee recommended to Council that:

- (1) air quality advisory messages which alert people to the risk of being outdoors on high risk days include a request that motorists refrain from using their vehicles;
- (2) all City of Toronto enforcement staff, including Parking Enforcement Officers, be fully informed regarding the importance of ticketing motorists for idling offences, particularly on air quality advisory days;
- (3) all proposals for bicycle lanes be submitted to the Toronto Cycling Committee, wherever possible, for comment prior to adoption; and

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- (4) the report titled "Choking Us to Death" prepared by the Toronto Hoof and Cycle Coalition be forwarded to other levels of government.

On motion by Councillor McConnell, the Committee amended Recommendation (1) of the report (July 22, 1999) from the City Clerk to read:

"(1) that free transit be available on air quality advisory days"

and adopted this recommendation, in principle, and requested the:

- (a) Chief Financial Officer, in consultation with the TTC, to identify the source of revenue to finance the initiative in the recommendation, and report thereon to the Planning and Transportation Committee; and
- (b) Medical Officer of Health to report on which groups should be targetted.

On motion by Councillor Moscoe, the Committee:

- (1) adopted Recommendation (2) of the report (July 22, 1999) from the City Clerk, in principle, and requested the Medical Officer of Health to report to the Planning and Transportation Committee on this recommendation;
- (2) referred Recommendation (3) of the report to the Medical Officer of Health with a request that she report thereon to the Planning and Transportation Committee;
- (3) referred Recommendation (7) of the report to the Acting Commissioner of Urban Planning and Development with a request that he forward a status report to the Planning and Transportation Committee on this matter; and

The Committee referred the following motion placed by Councillor Moscoe to the Acting Commissioner of Urban Planning and Transportation with request that he report thereon to the Planning and Transportation Committee:

"That a policy restricting car use reduction be established by City Council and that a quarterly report on the success of the

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policy's objectives be forwarded to the Planning and Transportation Committee."

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Wayne Scott, Member, Toronto Hoof and Cycle Courier Coalition;
- Joe Hendry, Toronto Hoof and Cycle Courier Coalition; and
- Joan Doiron, Co-chair, Toronto Pedestrian Committee.

(Chief Financial Officer, Medical Officer of Health, Acting Commissioner of Urban Planning and Development Services; cc: Toronto Cycling Committee - September 14, 1999)

**(Clause No. 3, Report No. 4)**

### **3.7 Year 2000 License Fees**

The Committee had before it the report (August 27, 1999) from the Acting Commissioner of Urban Planning and Development Services reporting on the establishment of License Fees, new and renewal, for the period from September 30, 1999 through to December 31, 2000, and recommending that:

- (1) Council approve the attached proposed schedule of license fees (Appendix 1); and
- (2) the appropriate City officials be authorised and directed to take the necessary action to give effect thereto.

On motion by Councillor McConnell, the Committee recommended that the report (August 27, 1999) from the Acting Commissioner of Urban Planning and Development Services be adopted subject to amending the schedule titled "Taxicab Owners - For Original Licence" in Appendix 1 attached thereto, by deleting the words "When issued to a cab driver on the waiting list" under Column 1, and deleting the corresponding amount of \$5,965.00 under Column 2.

**(Clause No. 4, Report No. 4)**

### **3.8 Retirement And Lodging Homes**

The Committee had before it the report (September 9, 1999) from the City Clerk forwarding a joint report (September 8, 1999) from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health to the September 13, 1999

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meeting of the Planning and Transportation Committee for information, insofar as it pertains to municipal property standards, zoning and related issues, with a request that any comments thereon be submitted directly to the Policy and Finance Committee for its meeting on September 16, 1999, and advising that it also:

- (1) recommended to the Policy and Finance Committee, and Council:
  - (a) the adoption of the attached joint report dated September 8, 1999, from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health, subject to the recommendations being amended to read as follows:

"It is recommended that:

- (1) a Retirement and Lodging Homes Advisory Committee be established, comprised of Councillors Ootes (Deputy Mayor), Johnston (Seniors Advocate), Fillion (Chair, Board of Health), Duguid (Chair, Community Services Committee), Jones (Vice-Chair, Community Services Committee), and Flint (Chair, Planning and Transportation Committee);
- (2) a Retirement and Lodging Homes Action Team, led by Public Health, be established with membership from Homes for the Aged, Municipal Standards and Licensing, Fire, Ambulance, Buildings, Legal Services, Shelter Housing and Support, Toronto Police, and Social Development. This team will immediately implement a short-term action plan to address complaints and concerns from the public regarding retirement homes;
- (3) the City of Toronto fully apply its existing legal powers to investigate complaints related to the health and safety of residents in retirement homes across the City;
- (4) the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Planning and Development Services, in consultation with the Medical Officer of Health and City Solicitor, establish an interdepartmental working group comprised of staff from Police, Fire, Ambulance and Legal as well as other appropriate stakeholders. This working group will report back to the Retirement and Lodging Homes Advisory Committee by November 1999, and by December 1999 to the Community Services Committee and the Planning and Transportation Committee on the scope of the problem, issues related to the development and monitoring of mechanisms for ensuring quality and standards of care, and possible roles for the City, the Province and other stakeholders in this regard;

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- (5) this report be forwarded to the Planning and Transportation Committee and the Policy and Finance Committee;
  - (6) the estimated funding of \$527,500.00 required for the short-term solution be absorbed in the Community and Neighbourhood Services 1999 approved Operating Budget, and that a report be submitted to the Policy and Finance Committee on the details of this expenditure, and the under expenditures in 1999 that may be reallocated for this purpose, as part of the 1999 Operating Budget Variance reporting process;
  - (7) the 1999 expenditures required to immediately implement the initiatives proposed by the Retirement and Lodging Homes Action Team be approved and further that the City seek 50/50 cost-sharing from the Province of Ontario to cover these expenditures;
  - (8) the funding implications of a longer-term solution be subject to a report to the Policy and Finance Committee for consideration with the year 2000 Operating Budget process; and
  - (9) the appropriate City officials be authorized and directed to take the necessary action to give effect hereto.";
- (b) that all references to the Retirement Homes Advisory Committee and the Retirement Homes Action Team, referred to in the joint report, be amended to read Retirement and Lodging Homes Advisory Committee and the Retirement and Lodging Homes Action Team respectively; and
  - (c) that the focus of both the Retirement and Lodging Homes Advisory Committee and the Retirement and Lodging Homes Action Team include retirement and lodging homes where personal support is being provided on site;
- (2) directed that the Policy and Finance Committee be requested to expedite discussion of the aforementioned joint report from the Commissioner of Community and Neighbourhood Services and Medical Officer of Health to ensure consideration by Council at its meeting on September 28, 1999; and
  - (3) directed that the aforementioned joint report be forwarded to the September 13, 1999, meeting of the Planning and Transportation Committee for information, insofar as it pertains to municipal property standards, zoning and related issues, with a request that any comments thereon be submitted directly to the Policy and Finance Committee for its meeting on September 16, 1999.

On motion by Councillor Kinahan, the Committee:

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- (1) endorsed the recommendations of the Community Services Committee as outlined in the attached communication (September 9, 1999) from the City Clerk, subject to amending Recommendation 1(a)(8) by adding the words "through the Budget Advisory Committee" after the words "Policy and Finance Committee", so as to read:

"1(a)(8) the funding implications of a longer-term solution be subject to a report to the Policy and Finance Committee, through the Budget Advisory Committee, for consideration with the year 2000 Operating Budget process; and"

and requested that notice of its endorsement be forwarded to the Policy and Finance Committee for consideration at its September 16, 1999 meeting.

On motion by Councillor Moscoe, the Committee:

- (2) requested the City Solicitor to report to the Planning and Transportation Committee for consideration at its next meeting on October 4, 1999 on:
- (a) appropriate draft by-laws which would extend, to the newly amalgamated City of Toronto, the enforcement powers that presently exist in the former Cities of Toronto and Etobicoke with respect to the Personal Care Rooming House By-law and the Lodging Houses By-law;
  - (b) the ability of the City of Toronto to extend, to the newly amalgamated City of Toronto, powers that were granted to a former municipality by way of Special Legislation, and the process for enacting such extensions.

Bob Rose, Parkdale Activity Recreation Centre, appeared before the Planning and Transportation Committee in connection with the foregoing matter.

(Policy and Finance Committee; City Solicitor; cc: Commissioner of Community and Neighbourhood Services, Interested Persons - September 14, 1999)

**(Clause No. 5(d), Report No. 4)**

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The Committee adjourned its meeting at 12:30 p.m.

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Chair.