

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 1

Monday, January 10, 2000

The Planning and Transportation Committee met on Monday, January 10, 2000, 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

Confirmation of Minutes.

On motion by Councillor Pantalone, the Minutes of the meeting of the Planning and Transportation Committee held on November 29, 1999, were confirmed.

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

Councillor Moscoe declared an interest with respect to Minute 1.7 insofar as it relates to election signs.

1.1 Toronto Perspective on GTA Transit Issues

The Planning and Transportation Committee gave consideration to the communication (November 18, 1999) from the General Secretary, Toronto Transit Commission,

forwarding for information the TTC report (November 10, 1999), entitled “Toronto Perspective on GTA Transit Issues”, which was considered by the Commission on November 17, 1999.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the communication (November 18, 1999) from the General Secretary, Toronto Transit Commission.

(Mr. Vincent Rodo, General Secretary, Toronto Transit Commission – January 12, 2000)

(Report No. 1, Clause 6(a))

1.2 Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update

The Planning and Transportation Committee gave consideration to the communication (December 10, 1999) from the General Secretary, Toronto Transit Commission, forwarding for information the TTC report (November 5, 1999), entitled “Russell Hill Subway Accident of August 11, 1995 Due Diligence Checklist Update”, which was considered by the Commission on December 8, 1999.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the communication (December 10, 1999) from the General Secretary, Toronto Transit Commission.

(Mr. Vincent Rodo, General Secretary, Toronto Transit Commission – January 12, 2000)

(Report No. 1, Clause 6(b))

1.3 Rail Safety Audit Report – American Public Transit Association

The Planning and Transportation Committee gave consideration to the communication (December 9, 1999) from the General Secretary, Toronto Transit Commission, forwarding for information the TTC report (December 8, 1999), entitled “Rail Safety Audit Report – American Public Transit Association”, which was considered by the Commission on December 8, 1999.

The Final Audit Report for the Toronto Transit Commission by the American Public Transit Association, Washington, D.C., dated November 1999, was noted as being on file in the City Clerk’s Division.

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On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (December 9, 1999) from the General Secretary, Toronto Transit Commission.

(Mr. Vincent Rodo, General Secretary, Toronto Transit Commission – January 12, 2000)

(Report No. 1, Clause 6(c))

1.4 2000 Service Plan – Results of Consultation

The Planning and Transportation Committee gave consideration to the communication (December 17, 1999) from the General Secretary, Toronto Transit Commission, forwarding for information the TTC report (November 29, 1999), entitled “2000 Service Plan – Results of Consultation”, which was considered by the Commission at a special meeting on December 17, 1999.

The Committee also had before it a communication (April 1, 1999) from Councillor Augimeri requesting to expand and increase the service for the Calvington Bus route.

On motion by Councillor McConnell, the Planning and Transportation Committee recommended to City Council for its meeting on February 1, 2000, that the Toronto Transit Commission be requested to review, in 2000, the public transportation options for the Port Lands, the Gooderham and Worts site, and the Parliament Corridor and include a comprehensive plan in the TTC 2001 Service Plan.

On motion by Councillor Johnston, the Committee also:

- (1) received the report (December 17, 1999) from the General Secretary, Toronto Transit Commission; and
- (2) requested the General Secretary, Toronto Transit Commission to replace the timeline telephone service as expeditiously as possible because approximately 9 million calls are handled annually and the service is invaluable to seniors and others, and report thereon directly to City Council for its meeting on February 1, 2000.

(Mr. Vincent Rodo, General Secretary, Toronto Transit Commission – January 12, 2000)

(Report No. 1, Clause 4)

1.5 Greater Toronto Services Board – Transportation Workshop Proceedings

The Planning and Transportation Committee gave consideration to the report (December 21, 1999) from the Acting Commissioner of Urban Development Services, recommending that Council recognize the proceedings of the Greater Toronto Services Board Transportation Workshop as useful input to the preparation of the Greater Toronto Area Transportation Plan.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (December 21, 1999) from the Acting Commissioner, Urban Development Services and submitted it to City Council for information.

(Acting Commissioner, Urban Development Services – January 12, 2000)

(Report No. 1, Clause 2)

1.6 Free Transit on Air Quality Advisory Days

The Planning and Transportation Committee gave consideration to the report (November 19, 1999) from the Chief Financial Officer and Treasurer responding to the request on the source of revenue to finance the initiative of providing free transit on air quality advisory days and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (November 19, 1999) from the Chief Financial Officer and Treasurer.

(Chief Financial Officer and Treasurer; cc: Committee Secretary, Toronto Cycling Committee – January 12, 2000)

(Report No. 1, Clause 6(d))

1.7 Timelines for Sign By-laws

The Planning and Transportation Committee gave consideration to the report (December 22, 1999) from the Acting Commissioner, Urban Development Services, informing Council of the schedule for the development of harmonized sign by-laws and recommending that this report be received for information.

The Committee also had before it the following communications/reports:

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- (November 12, 1999) from the City Clerk, East York Community Council, reporting having received the report (October 28, 1999) from the Commissioner of Community and Neighbourhood Services and the communication (October 12, 1999) from the City Clerk;
- (November 19, 1999) from Eva H. Gniissios, Vice President, Administration, Coffee Time, advising of their vested interest in any new rules and regulations that may affect the sign by-laws;
- (November 3, 1999) from the City Clerk, Planning and Transportation Committee, outlining the action taken by the Planning and Transportation Committee at its meeting on November 1, 1999, with respect to the Acting Commissioner's report (October 18, 1999) and the responses from the Community Councils; and
- (October 18, 1999) from the Acting Commissioner, Urban Planning and Development Services, reporting on the harmonization process for the sign by-law and recommending that this report be received for information. Communications received from the Scarborough Community Council, Toronto Community Council, Etobicoke Community Council and North York Community Council, which were before the Committee at its meeting on November 1, 1999, were noted as being on file with the City Clerk.

On motion by Councillor Moscoe, the Planning and Transportation Committee:

- (1) received the report (December 22, 1999) from the Acting Commissioner, Urban Development Services; and
- (2) requested the Acting Commissioner to forward his report on the harmonization of sign by-laws to the Steeles Avenue Sub-Committee for prior review before submitting it to the Planning and Transportation Committee.

(Acting Commissioner, Urban Development Services; cc: Committee Secretary, Steeles Avenue Sub-Committee and Interested Persons – January 12, 2000)

(Report No. 1, Clause 6(e))

1.8 Organizational Structure for the New Committee of Adjustment

The Planning and Transportation Committee gave consideration to the report (November 29, 1999) from the City Clerk forwarding Clause No. 1 contained in Report No. 6 of the Planning and Transportation Committee, headed "Organizational Structure for the New

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Committee of Adjustment”, which Council, at its meeting on November 23, 24 and 25, 1999 directed be struck out and referred back to the Planning and Transportation Committee for further consideration.

The Committee also had before it the following communications/reports:

- (December 1, 1999) from John Mastoras advising that the Parkview Hills Community Association passed a motion on November 8, 1999 “that the City’s Ward 1 (East York) retain its own independent Committee of Adjustment or, alternatively, that Ward 1 be included as part of the City of Toronto’s Committee of Adjustment rather than with that of (the former) Scarborough”;
- the following communications from its meeting of November 1, 1999:
 - (1) Appendices A to D appended to the report (September 24, 1999) from the Acting Commissioner, Urban Planning and Development Services;
 - (2) communication (October 8, 1999) from Peter Milczyn, Chair, Lakeshore Planning Council, appended to the transmittal letter (October 14, 1999) from the City Clerk, Etobicoke Community Council;
 - (3) communication (October 12, 1999) from J.F. Henderson and (October 5, 1999) from Clancy Delbarre, President, Highland Creek Community Association, appended to the transmittal letter (October 13, 1999) from the City Clerk, Scarborough Community Council;
 - (4) Appendix A (October 5, 1999) from the Chairman, Committee of Adjustment, York Services and communication from William H. Roberts, Director, Swansea Area Ratepayers Association, appended to the transmittal letter (October 18, 1999) from the City Clerk, York Community Council;
 - (5) communication (October 27, 1999) from Robin Fraser, President, Rathnelly Area Resident’s Association strongly supporting the continuation of the practice of evening meetings for the Committee of Adjustment; and
 - (6) communication (October 31, 1999) from Agnes Vermes, President, Leaside Property Owners’ Association Incorporated requesting that the Committee of Adjustment meetings be held in the evenings and at the same location (East York) as in the past;
- (January 5, 2000) from Richard Jessop, Chair, Confederation of Resident & Ratepayers Associations, advocating that development issues impacting residential areas be heard during evening meetings of the Committee of Adjustment;

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- (January 7, 2000) from Morry Smith, Vice President, Lansing Community Association Inc., requesting that a clear and detailed definition of the term “minor variance” is required, and that an opportunity to appeal a Committee of Adjustment decision, either to Council or the OMB, be permitted;
- (January 10, 2000) from Brian Athey, Chair, East York Committee of Adjustment, submitting his verbal presentation to the Committee.

The following persons addressed the Committee in respect to this matter:

- Ben Loughlin;
- Justin J.VanDette, Secretary, Parkview Hills Community Association (PHCA) and Chair, PHCA Municipal Affairs Committee (East York);
- Marion Lick, President, Willowdale Central Ratepayers’ Association;
- Barry Mcmonagle, President, Bayview Willowdale Homeowners’ Association;
- Brian Athey, Chair, Committee of Adjustment for East York;
- Jim Hannah, Leaside Property Owners’ Association;
- Councillor Prue;
- Councillor Pitfield; and
- Councillor Nunziata.

On motion by Councillor McConnell, the Planning and Transportation Committee deferred the report (November 29, 1999) from the City Clerk, and related material, sine die.

(Acting Commissioner, Urban Development Services; cc: Interested Persons –January 12, 2000)

1.9 Implementation of New Practices for the Review of Development Applications

The Planning and Transportation Committee gave consideration to the report (January 4, 2000) from the Acting Commissioner, Urban Development Services reporting on two City Council requests relating to the implementation of New Practices for the Review of Development Applications and recommending that:

- (1) the definition of Preliminary Report as contained in this report be approved;
- (2) the Planning and Transportation Committee determine an appropriate direction for the delivery of planning services by the City Planning Division of Urban Development Services based on the status quo or the provision of additional staffing resources;

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- (3) if necessary, the Acting Commissioner of Urban Development Services, in consultation with all departments, agencies, boards and commissions involved in the development approval process, report back to the Planning and Transportation Committee on specific staffing resources required to deliver local and city-wide planning services efficiently including re-arrangements, re-allocations and/or new staff in time to be considered at the 2000 operating budget cycle; and
- (4) the Acting Commissioner, Urban Development Services, report back to the Planning and Transportation Committee in December, 2000 with respect to the experience of delivering planning services with the staffing resources which have been approved.

On motion by Councillor Pantalone, the Planning and Transportation Committee recommended:

- (1) the adoption of the report (January 4, 2000) from the Acting Commissioner, Urban Development Services subject to amending Recommendation (2) to read:

“(2) that the delivery of planning services by the City Planning Division of Urban Development Services be implemented by an incremental increase with the addition of 20-25 staff to allow the City Planning Division to deal with Council’s expectations in a phased manner. Increased resources for developmental approval partners could also be required;”

and in view of the financial impact of the above recommendations forwarded this matter directly to the Budget Advisory Committee for consideration in conjunction with the 2000 Operating Budget and requested the Budget Advisory Committee to:

- (1) advise the Chair and members of the Planning and Transportation Committee when this matter is being considered by the Budget Advisory Committee; and
- (2) report back to the Planning and Transportation Committee for consideration by the Committee at its March 20, 2000 meeting, being the meeting when the Committee will be conducting its review of, and hearing public deputations on, the 2000 Operating Budget.

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(Budget Advisory Committee; c.c.: Acting Commissioner, Urban Development Services; Chief Financial Officer and Treasurer; Finance Division – Attention: John Di Lallo, Manager, Urban Planning & Development Services)

(Report No. 1, Clause 6(g))

1.10/ Exempting Non-Profit Housing from Planning Application Fees, Building Permit

1.11 Fees and Parkland Dedication Payment Requirements

The Planning and Transportation Committee considered Minutes 1.10 and 1.11 together.

The Planning and Transportation Committee gave consideration to the confidential report (December 6, 1999) from the City Solicitor, which remained confidential.

The Committee also had before it the joint report (December 21, 1999) from the Acting Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism requesting to waive the building permit fees and the payment in lieu of providing parkland for a 24 unit non-profit housing development at 647-657 Lawrence Avenue West (Site Plan Application UDSP-99-117) and exempt all non-profit housing from planning application fees, building permit fees and parkland dedication payment requirements, and recommending that:

- (1) Council exempt a 24 unit non-profit housing development at 647-657 Lawrence Avenue West from the building fees payable under By-law No. 163-1998 and the parkland dedication requirements under By-law No. 30152 of the former City of North York;
- (2) Council adopt a policy to waive all planning application fees, building permit fees and parkland dedication payment requirements for non-profit housing projects. The same definition of “non-profit housing” as was used in the development charges by-law (By-law No. 476-1999) should be used for the purposes of the waiver of these fees and payments; and
- (3) Council direct City officials to not collect planning application fees, building permit fees and parkland dedication payment requirements for non-profit housing projects and authorize City officials to undertake any necessary action to give effect to the foregoing.

On motion by Councillor O’Brien, the Committee adjourned its public session at 2:20 p.m. to meet in-camera to discuss a matter, the subject of which dealt with the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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At the conclusion of the in-camera session, the Committee resumed its public session at 3:20 p.m. with the following members in attendance:

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

On motion by Councillor Moscoe, the Planning and Transportation Committee:

- (1) recommended to the Policy and Finance Committee the adoption of Recommendations (3) and (4) of the confidential report (December 6, 1999) from the City Solicitor which was forwarded to Members of Council under separate cover;
- (2) recommended the adoption of the joint report (December 21, 1999) from the Acting Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, subject to:
 - (a) amending Recommendation (1) to read:
 - “(1) Council exempt the following non-profit housing developments from the building fees payable under By-law No. 163-1998 and the parkland dedication requirements under By-law No. 30152 of the former City of North York:

a 24 unit non-profit housing development at 647-657 Lawrence Avenue West;

30 St. Lawrence Street; and

1070 Queen Street East

and, if possible, that the waiving of the permit fees for these projects be changed to a deferral of fees if

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deemed feasible during the course of discussions, and that the approval of the waiver of fees in no way imply that the project be subject to any lower design landscaping or site plan standards than any private sector project”;

Councillor O'Brien voted in opposition to the adoption of the joint report.

- (b) deferring consideration of Recommendations (2) and (3)

and in view of the financial impact inherent in Recommendation (1), the Committee forwarded this matter to the Policy and Finance Committee for consideration and report to Council for its meeting on February 1, 2000;

- (3) requested the City Solicitor to report directly to Council on the concept of reducing permit and similar fees to a nominal amount rather than waiving or deferring them, and to include in his report any suggested clarifying amendments to the recommendations which he feels may be necessary; and
- (4) with respect to non City-owned sites, requested the Commissioner of Urban Development Services and the Commissioner of Community and Neighbourhood Services to convene a meeting as soon as possible with interested members of the Planning and Transportation Committee and Canada Mortgage and Housing Corporation to discuss the establishment of a policy that would defer all planning application fees, building permit fees and parkland dedication payment requirements for non-profit housing projects, and would include the following provisions:
- (a) fees and payments would accrue as a liability against the building with interest, all to be recoverable in the event the building is sold or converted to a profit based status;
- (b) Council, at the time of sale or conversion, to review conditions to determine if it wishes to continue to defer these fees;
- (c) the value of all payments that have been deferred be calculated for each project and the sponsoring agency be

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made aware of the subsidy being provided by the City in this regard; and

- (d) that this be an interim policy to be reviewed after 5 years in order to determine its success in encouraging the construction of non-profit affordable housing;

and requested the Commissioner of Urban Development Services to report to Planning and Transportation Committee on the outcome of this meeting.

On motion by Councillor McConnell, the Committee amended the foregoing motion to include representation from the Ontario Non-Profit Housing Association, the Co-op Housing Federation of Toronto and the Co-op Housing Foundation – Ontario Branch, so the motion now reads:

- (4) with respect to non City-owned sites, requested the Commissioner of Urban Development Services and the Commissioner of Community and Neighbourhood Services to convene a meeting as soon as possible with interested members of the Planning and Transportation Committee, representatives from the Ontario Non-Profit Housing Association, the Co-op Housing Federation of Toronto, the Co-op Housing Foundation – Ontario Branch and Canada Mortgage and Housing Corporation to discuss the establishment of a policy that would defer all planning application fees, building permit fees and parkland dedication payment requirements for non-profit housing projects and would include the following provisions:
 - (a) fees and payments would accrue as a liability against the building with interest, all to be recoverable in the event the building is sold or converted to a profit based status;
 - (b) Council, at the time of sale or conversion, to review conditions to determine if it wishes to continue to defer these fees;
 - (c) the value of all payments that have been deferred be calculated for each project and the

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sponsoring agency be made aware of the subsidy being provided by the City in this regard; and

- (d) that this be an interim policy to be reviewed after 5 years in order to determine its success in encouraging the construction of non-profit affordable housing;

and requested the Acting Commissioner of Urban Development Services to report to Planning and Transportation Committee on the outcome of this meeting.'

On motion by Councillor Moscoe, the Committee requested the Acting Commissioner, Urban Development Services to report to the Planning and Transportation Committee on the following motions placed by Councillor Moscoe:

- (a) that parkland dedication be on a site-by-site basis accomplished through the regular planning application process;
- (b) for the purposes of By-law 163-1998, a deferral should be construed as if the full building permit fees have deemed to have been paid;

On motion by Councillor McConnell, the Committee requested the Acting Commissioner of Urban Development Services to also report to the Planning and Transportation Committee on any appropriate new housing projects he may identify after having conducted a review of new housing projects.

The following motion placed by Councillor O'Brien was voted on and lost:

“That the joint report (December 21, 1999) from the Acting Commissioner, Urban Development Services and the Commissioner of Economic Development, Culture and Tourism and the confidential report (December 6, 1999) from the City Solicitor, be referred to staff for a report back to the Committee on all motions placed together with recommendation for an equitable solution.”

The following motion was placed by Councillor Johnston and withdrawn:

“That the Planning and Transportation Committee endorse, in principle, Councillor Moscoe’s motions with a request that the City Solicitor report directly to City Council on a revised motion that would give Council legal authority.”

(Report No. 1, Clause 3)

1.12 Toronto Licensing Tribunal – Semi Annual Report, January-June 1999

The Planning and Transportation Committee gave consideration to the transmittal letter (December 13, 1999) from the City Clerk, Licensing Sub-Committee reporting that the Licensing Sub-Committee recommends the adoption of the following recommendations contained in the report (August 19, 1999) from the Chair, Toronto Licensing Tribunal, titled “Toronto Licensing Tribunal – Semi Annual Report, January-June 1999”:

(1) City Council amend Section 11(1) of By-law 20-85 to read as follows:

- 11(1) an applicant for a licence, or for the renewal of a licence is, subject to the provisions of this By-law, entitled to be issued the licence or renewal, except where,
- (a) the conduct of the applicant affords reasonable grounds for belief that he has not carried on or will not carry on his trade, calling, business or occupation in accordance with law and with integrity and honesty; or
 - (b) there are reasonable grounds for belief that the carrying on of the trade, calling, business or occupation by the applicant has resulted or will result in a breach of this By-law or any other law; or
 - (c) the applicant is a corporation and its conduct or the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that its trade, calling, business or occupation has not been or will not be carried on in accordance with law and with integrity and honesty; or
 - (d) there are reasonable grounds for belief that the premises, accommodation, equipment or facilities in respect of which the licence is required have not complied or will not comply with the provisions of this By-law or any other law; or

- (e) the conduct of the applicant or other circumstances afford reasonable grounds for belief that the carrying on by the applicant of the business in respect of which the licence is sought infringed or would infringe the rights, or endanger the health or safety of other members of the public; and
- (2) City Council direct the City Solicitor to amend By-law 20-85 to authorize the Tribunal to suspend penalty for a specified period of time, to be determined by the Tribunal.

The Committee also had before it a report (August 19, 1999) from the Chair, Toronto Licensing Tribunal responding to City Council's direction that the Toronto Licensing Tribunal report at least semi-annually to the Emergency and Protective Services Committee (after June 1, 1999, the Planning and Transportation Committee), reporting on its activities since the restructuring of the Commission, outlining the Tribunal's purpose, composition, case statistics and recommendations, and submitting the recommendations noted above.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council for its meeting on February 1, 2000, the adoption of the recommendations of the Licensing Sub-Committee contained in the transmittal letter (December 13, 1999) from the City Clerk.

(Report No. 1, Clause 4)

1.13 A Program to Generate a Housing Stock for Social and Supportive Housing Purposes: Proposal Review

The Planning and Transportation Committee gave consideration to the joint report (December 22, 1999) from the Acting Commissioner, Urban Development Services and Commissioner, Community and Neighbourhood Services, requesting to review a proposal for a "Social Housing Bonus" program to generate a housing stock for social and supportive housing purposes, and recommending that:

- (1) City Council reaffirm its direction to the Commissioner, Urban Development Services that policies on urban intensification and the inclusion of affordable housing in new residential developments be considered a high priority in the preparation of a housing implementation plan as part of the Official Plan process;
- (2) this report be forwarded to the Community Services Committee for information; and

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- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Augimeri, the Planning and Transportation Committee:

- (1) recommended to City Council for its meeting on February 1, 2000, the adoption of Recommendations (1) and (3) of the joint report (December 22, 1999) from the Acting Commissioner, Urban Development Services and the Commissioner, Community and Neighbourhood Services; and
- (2) in accordance with Recommendation (2) of the above-noted report, forwarded a copy of this report to the Community Services Committee for consideration.

(Community Services Committee; c.c.: Acting Commissioner, Urban Development Services; Commissioner, Community and Neighbourhood Services – January 12, 2000)

(Report No. 1, Clause 5)

The Committee adjourned its meeting at 3:25 p.m.

Chair