



**PLANNING AND TRANSPORTATION COMMITTEE
AGENDA
MEETING No. 10**

Date of Meeting:	November 12, 2001	Enquiry:	Christine Archibald
Time:	9:30 a.m.		Administrator
Location:	Committee Room 1		(416) 392-7039
	City Hall		carchiba@city.toronto.on.ca
	100 Queen Street West		

DECLARATIONS OF INTEREST PURSUANT TO THE MUNICIPAL CONFLICT OF INTEREST ACT.

CONFIRMATION OF MINUTES OF SEPTEMBER 11, 2001 MEETING - available in qry\2001\standing\planning\minutes and on the City's website

PUBLIC HEARING

1. 10.00.A.M. SIGN PERMIT AND VARIANCE APPLICATION FEE HARMONIZATION

City Clerk
(October 9, 2001)

Advising that City Council, at its meeting held on October 2, 3 and 4, 2001, in adopting, as amended, Clause No. 6 of Report No. 10 of The Planning and Transportation Committee, headed "Sign Permit and Variance Application Fee Harmonization", **directed** that:

- (1) the Planning and Transportation Committee be authorized to hold a public meeting on November 12, 2001 to consider a proposed by-law to adjust sign permit fees and variance fees as outlined in this report, and that notice of the hearing be given in accordance with the requirements of the Municipal Act;
- (2) the report (September 5, 2001) be forwarded to Community Councils for their consideration and comments to the Planning and

Transportation Committee prior to the public meeting on November 12, 2001; and

- (3) the Commissioner of Urban Development Services, in consultation with the City Solicitor, be requested to prepare a draft by-law for consideration at the public meeting to be held by Planning and Transportation Committee which would include an amendment to the Sign By-laws to allow the Commissioner of Urban Development Services to automatically increase sign permit and/or variance fees on the first day of January of each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase date; and
- (4) the Commissioner of Urban Development Services be requested to submit, to the Planning and Transportation Committee, a harmonized sign permit fee schedule that reflects full cost recovery and service delivery efficiencies in the various process areas, such as sign permit plan review, inspections of new sign installations and sign variance application processes, and provides for proactive sign enforcement for illegal signs.

1(a).

Commissioner of Urban Development Services
(October 23, 2001)

Providing the necessary draft by-law to harmonize sign permit and variance application fees across the City and to allow for the automatic increase of these fees annually based on the increase in the All Items Index of the Consumer Price Index, and **recommending** that:

- (1) the attached draft by-law be approved; and
- (2) authority be granted for the introduction of the necessary Bill in Council, substantially in the form of the draft by-law, to give effect thereto.

1(b).

Commissioner, Urban Development Services

Responding to the request from City Council at its meeting of October 2, 3, and 4, 2001, that the Commissioner of Urban Development Services provide information with respect to Planning and Transportation Committee Report No. 10, Clause No. 6, relating to a harmonized sign permit fee schedule that reflects staffing cost recovery and service delivery efficiencies in the various process areas.

Note: This report is not yet available, and will be included on the supplementary agenda

1(c).

City Clerk, Etobicoke Community Council

(October 25, 2001)

Advising that **Etobicoke Community Council**, at its meeting held on October 24, 2001:

(1) **endorsed** Recommendation No. (2) contained in the report (September 5, 2001) from the Commissioner, Urban Development Services, viz.:

"(2) the Sign By-laws be amended to allow the Commissioner of Urban Development Services to automatically increase sign permit and/or variance fees on the first day of January of each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase date;" and

(2) directed that the Planning and Transportation Committee be advised accordingly.

1(d).

City Clerk, Humber York Community Council

(October 29, 2001)

Advising that **Humber York Community Council**, at its meeting held on October 23, 2001, recommended that the Planning and Transportation Committee:

(1) be advised that it concurs with the report (September 5, 2001) from the Commissioner, Urban Development Services;

(2) give consideration to adopting the policy of the former City of Scarborough with respect to the annual fee for third party signs; and

(3) also consider the implementation of an additional charge to recover costs from an operational and administrative perspective.

1(e).

City Clerk, Midtown Community Council

(October 24, 2001)

Advising that **Midtown Community Council**, at its meeting on October 23, 2001, **recommended** the adoption of the proposed By-law to adjust sign permit fees and variance fees as outlined in the report (September 5, 2001) from the Commissioner, Urban Development Services.

1(f).

City Clerk, North York Community Council
(October 29, 2001)

Advising that **North York Community Council** on October 24, 2001 recommended to the Planning and Transportation Committee that:

- (1) the proposed fees outlined in the report (September 5, 2001) from the Commissioner of Urban Development Services, be approved with the provision that:
 - (a) the sign permit fee for mobile signs be increased to \$200.00;
 - (b) the revenue derived from the aforementioned fee increase be used to hire one full-time employee responsible for the enforcement of the provisions of the Sign By-law respecting mobile signs; and
 - (c) the foregoing be included as an item in the 2002 Budget request.

1(g).

City Clerk, Scarborough Community Council
(October 25, 2001)

Advising that **Scarborough Community Council**, at its meeting held on October 23, 2001, had no comment to make respecting the Sign Permit and Variance Application Fee Harmonization.

1(h).

City Clerk, Toronto East York Community Council
(October 29, 2001)

Advising that **Toronto East York Community Council**, on October 23, 2001, recommended that the sign permit fees and variance fees set out in the report (September 5, 2001) from the Commissioner of Urban Development Services, be amended in the South District to include the hiring of an inspector to conduct proactive inspection of illegal signs that pose a potential hazard to the public.

2. 10:30 A.M. HARMONIZATION OF THE NOISE BY-LAW

2(a). Commissioner of Urban Development Services

Note: This report, which will consolidate all the recommendations before the Committee from Community Councils and the Board of Health, is not yet available and will be distributed with the supplementary agenda.

2(b). Commissioner of Urban Development Services
(August 16, 2001)

Note: Planning and Transportation Committee, at its meeting on September 11, 2001, forwarded this report, and the communication (July 19, 2001) from the Secretary, Board of Health, to all Community Councils and the Board of Health for their consideration. Responses are listed as Items 2(f) to 2(l) on this agenda.

Reporting on the harmonization of the Noise By-law and **recommending** that:

- (1) this report and the attached draft by-law be received and forwarded to the Community Councils and the Board of Health for their consideration and comments back to Planning and Transportation Committee;
- (2) Council endorse the enforcement strategy and fee structure as outlined in this report; and
- (3) Council request the Minister of the Environment to include sound emission standards for blowers or vacuums for grounds maintenance in Publication NPC-117, Domestic Outdoor Power Tools.

2(c). Secretary, Board of Health
(July 19, 2001)

Re: Leaf Blowers and other Lawn Garden Equipment

Advising that the Board of Health, at its meeting on July 16, 2001, **recommended** that:

- (1) the report (July 3, 2001) from the Medical Officer of Health be forwarded to the Planning and Transportation Committee and the Works Committee for consideration;

- (2) the Planning and Transportation Committee seek public input on this report at Community Councils (at the same time that Community Councils give consideration to the Urban Development Services report on a harmonized Noise By-law for Toronto); and
- (3) the Planning and Transportation Committee be requested, during its deliberations on the draft harmonized Noise By-law, to recommend that the operation of a device that blows or vacuums leaves, grass clippings or debris be prohibited:
 - (a) at all times in quiet zones and on residential properties; and
 - (b) between 6:00 p.m. and 8:00 a.m. on weekdays, and at all times on Saturday and Sunday, on non-residential properties.

2(d). Commissioner, Urban Development Services
(October 23, 2001)

Advising of the staffing needs to administer the harmonized Noise By-law and **recommending** that this report be received for information.

2(e). City Solicitor
(October 31, 2001)

Re: Leaf Blowers

Reporting on the City's authority to pass by-laws and regulations which would minimize negative noise and other negative environmental impacts of leaf blowers, and **recommending** that this report be received for information.

Responses from Community Council and Board of Health – item 2(f) to 2(l)

2(f)(i) City Clerk, Etobicoke Community Council
(October 25, 2001)

Re: Draft Noise By-law

Advising that **Etobicoke Community Council**, at its meeting held on October 24, 2001:

- (1) recommended to the Planning and Transportation Committee that the draft Noise By-law contained in the report dated August 16,

2001, from the Commissioner, Urban Development Services, be adopted, subject to amending:

- A. Part 8, headed “Exemption: Public Safety and Highways”, by adding thereto a new item (c) as follows:

“(c) in any City-owned facilities or at City-sponsored events.”,

so that Part 8 shall now read as follows:

“8. Exemption: Public Safety and Highways

Notwithstanding any other provision of this chapter, it shall be lawful for the City or any local board thereof, the Province of Ontario, the Government of Canada or any of their authorized agents, to emit or cause to permit the emission of sound in connection with measures undertaken:

- (a) for the immediate health, safety or welfare of the inhabitants of the City, or
- (b) for the preservation, restoration or demolition of any highway, or
- (c) in any City-owned facilities or for City-sponsored events.”

- B. Part 9, headed “Grant of Exemption by Council”, subsection A., headed “Application to Community Council”, by adding thereto the following words:

“or Designate”,

so that the heading shall now read as follows:

“Application to Community Council or Designate”;

- C. Part 4, headed “Prohibition by Time and Place”, “Table to Section 4”, Part 6, by deleting “B.(7)” and inserting in lieu thereof “B.(4)”, having regard for the action taken by the Etobicoke Community Council regarding “Leaf Blowers” in recommending to the Planning and Transportation

Committee that the hours during which City staff can continue using leaf blowers be during the hours of 7:00 a.m. to 7:00 p.m.

- (2) requested the District Manager, Municipal Licensing and Standards, West District, to submit a report directly to the Planning and Transportation Committee, for consideration with this matter, on appropriate amendments that would be required to Part 9, headed "Grant of Exemption by Council", so that the process for granting exemptions be amended to permit a Council's designate to grant or refuse applications or refer the matter to Community Council for a final decision.

2(f)(ii)

City Clerk, Etobicoke Community Council
(October 25, 2001)

Re: Leaf Blowers

Advising that **Etobicoke Community Council**, at its meeting held on October 24, 2001, recommended to the Planning and Transportation Committee the adoption of the report dated October 10, 2001 from the Commissioner, Works and Emergency Services, subject to amending Recommendation No. (1) by deleting "5:00 p.m." and inserting in lieu thereof "7:00 p.m.", so that Recommendation No. (1) shall now read as follows:

- "(1) City staff continue using leaf blowers but only during the hours of 7:00 a.m. to 7:00 p.m., Monday to Friday, and not at any time in quiet zones unless required for emergency operations; and".

2(g).

City Clerk, Humber York Community Council
(October 29, 2001)

Advising that the **Humber York Community Council**, at its meeting held on October 23, 2001, recommended that the Planning and Transportation Committee be advised that it concurs with the report (July 19, 2001) from the Board of Health; and;

further recommended the following to the Planning and Transpiration Committee, with respect to the report (August 16, 2001) from the Commissioner, Urban Development Services:

- (1) under the heading, Public Safety and Highways, that the following paragraph be deleted:

“The draft by-law creates an exemption for the City or any local board thereof, the Province of Ontario, the Government of Canada or any of their agents, when the emission of sound is in connection with work undertaken for:

- (1) the immediate health, safety or welfare of the inhabitants of the City; or
- (2) the preservation, restoration or demolition of any highway.”

- (2) under the heading, Third Party Verification, that the following be included:

“Where the noise has been heard by a by-law officer or any other employee of the City, that person shall automatically be deemed to be the third party for verification purposes.”

- (3) under the heading, Events Monitoring, that the words “with few exceptions and” be deleted, so as to read as follows:

“As part of the enforcement strategy, we are recommending that where an exemption to the by-law is approved by Council, that as a condition of approval, sound levels resulting from the event be monitored at the applicant’s expense.”

2(h).

City Clerk, Midtown Community Council
(October 25, 2001)

Advising that **Midtown Community Council**, at its meeting on October 23, 2001, recommended that:

- (1) consideration be given to strengthening the provisions of the harmonized Noise By-law pertaining to the use of a device that blows or vacuums leaves, grass clippings or debris, so that the use is restricted:
 - (a) at all times in Quiet Zones;
 - (b) at all times on residential properties except during the months of October and November for leaf removal;

- (c) between 6:00 p.m. and 8:00 a.m. on weekdays and at all times on Saturday and Sunday on non-residential properties; and
- (2) consideration be given to strengthening the provisions of the harmonized Noise By-law pertaining to air conditioning unit noise to reflect the standards in effect under the former City of Toronto Noise By-law.

2(i).

City Clerk, North York Community Council
(October 29, 2001)

Advising that **North York Community Council** on October 24, 2001:

- (a) Recommended to the Planning and Transportation Committee that:
 - (1) Section 8 (b), titled, “Exemption: Public Safety and Highways” attached to the report (August 16, 2001) from the Commissioner of Urban Development Services, be deleted;
 - (2) the draft by-law be further amended to provide that:
 - (a) the City and its various Agencies, Boards and Commissions, be exempt from the requirement of placing an advertisement in the newspapers and other publications when making applications for an exemption to the Noise By-law; and
 - (b) construction noise be prohibited prior to 8:00 a.m. on Saturdays.
 - (3) Recommendation (2) (a) embodied in the communication (July 19, 2001) from the Board of Health to the Planning and Transportation Committee and Works Committee, be deleted.
 - (4) Recommendation (2) (b) embodied in the communication (July 19, 2001) from the Board of Health to the Planning and Transportation Committee and Works Committee be amended to read as follows:
 - “(2)(b) between 6:00 p.m. and 8:00 a.m. on weekdays, and at all times on Saturday and Sunday, on residential and non-residential properties.”; and

- (b) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee, for its meeting scheduled for November 12, 2001, on the noise levels of new air conditioners and recommending a maximum noise level emission for air conditioners.

2(j).

City Clerk, Scarborough Community Council
(October 25, 2001)

Advising that **Scarborough Community Council**, at its meeting on October 23, 2001, **recommended:**

- (1) where the words “No person” appear in the proposed By-law, the words “or owner” be inserted immediately thereafter;
- (2) that the Commissioner of Urban Development Services be requested:
 - (i) to consider, where the By-law refers to “noise”, that the words “and any accompanying vibration” be inserted immediately thereafter, and the Commissioner submit a report thereon to Committee;
 - (ii) to report to Committee on the establishment of a third Quiet Zone category of “Mixed Use Residential Area”; such that “Table to Section 4” Item 11. “Playing of Music” be amended by deleting “B.(3)” and inserting in lieu thereof “B.(1)”;
 - (iii) to consult with a representative number of institutions to ascertain whether this By-law would be an improvement over the status quo and report thereon to Committee;
- (3) that the proposed By-law be forwarded to the Toronto Police Services Board for comment, and be deferred at Committee pending receipt of such comment.

2(k).

City Clerk, Toronto East York Community Council
(October 29, 2001)

Advising that **Toronto East York Community Council**, on October 23, 2001, recommended that:

- (1) the draft by-law attached to the report (August 16, 2001) from the Commissioner of Urban Development Services be amended to provide that:

- (a) leaf blowers not be permitted on Smog Alert days; and
 - (b) leaf blowers not be permitted on weekends;
- (2) the draft by-law attached to the report (August 16, 2001) from the Commissioner of Urban Development Services, as amended by Recommendation No. (1), be approved;
 - (3) City Council endorse the enforcement strategy and fee structure outlined in the report (August 16, 2001) from the Commissioner of Urban Development Services;
 - (4) City Council request the Minister of the Environment to include sound emission standards for blowers or vacuums for grounds maintenance in Publication NPC-117, Domestic Outdoor Power Tools;
 - (5) City staff continue using leaf blowers but only during the hours of 7:00 a.m. to 5:00 p.m., Monday to Friday, and not at any time in quiet zones unless required for emergency operations nor Smog Alert days; and
 - (6) City staff be directed to develop an implementation plan to review work procedures, training requirements, and to research new types of equipment and leaf removal methods.

2(i).

Secretary, Board of Health
(October 30, 2001)

Advising that the **Board of Health**, at its meeting on October 29, 2001, recommended the adoption of the following recommendations contained in the report (October 16, 2001) from the Medical Officer of Health:

- (1) that the Planning and Transportation Committee give consideration to strengthening the provisions of the harmonized Noise By-law pertaining to the use of a device that blows or vacuums leaves, grass clippings or debris, so that the use is restricted:
 - (a) at all times in Quiet Zones;
 - (b) at all times on residential properties except during the months of October and November for leaf removal, and
 - (c) between 6:00 p.m. and 8:00 a.m. on weekdays and at all times on Saturday and Sunday on non-residential properties;

- (2) that the Planning and Transportation Committee give consideration to strengthening the provisions of the harmonized Noise By-law pertaining to air conditioning unit noise to reflect the standards in effect under the former City of Toronto Noise By-law; and
- (3) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Other Communications

2(m). City Clerk, Works Committee
(September 10, 2001)

Advising that the Works Committee, at its meeting on September 10, 2001, referred the communication dated July 19, 2001, from the Secretary, Board of Health, respecting leaf blowers and other lawn garden equipment, to the Planning and Transportation Committee for consideration, with a request that the Planning and Transportation Committee distinguish between electrical and gas-powered leaf blowers during their consideration of this matter.

2(n). Albert Roffey
(June 15, 2001)

Submitting comments regarding the noise by-law.

2(o). Ronald Robinson
Chain Saw Clinic® Ltd.
(September 10, 2001)

Advising that manufactures of power blowers and vacuums have been working towards manufacturing quieter machines.

2(p). Roger Hammer, MBA, P.Eng.
Regional Director
Ontario Ministry of Transportation
(October 15, 2001)

Noting that Section 8 which deals with granting an exemption for public safety and highways will be very helpful for the Ministry to maintain and construct Provincial Highways within the boundaries of the City of Toronto, and **recommending** that the word "construction" be inserted before preservation in Part (b), so that it now reads: "for the construction, preservation, restoration or demolition of any highway".

2(q).

Ramona F. Burke
(October 22, 2001)

Supporting the prohibition of small, gas-powered gardening tools

3. 11:15 A.M. **PERMITTING ROOMING HOUSES FOR SENIORS IN ALL RESIDENTIAL ZONINGS**

Commissioner, Urban Development Services

Note: This report is not yet available and will be included on the supplementary agenda

4. **REQUIRING CAB DRIVERS ISSUED AMBASSADOR TAXICAB LICENCES TO PURCHASE ULTRA LOW EMISSION VEHICLES**

Commissioner, Urban Development Services
(October 22, 2001)

Reporting on the feasibility of the City to require cab drivers that are issued an Ambassador taxicab licence to purchase ultra low emission vehicles for use as taxicabs, and **recommending** that this report be received for information purposes only.

5. **AMENDMENT TO CHAPTER 441-6 OF THE MUNICIPAL CODE DEALING WITH FEES FOR SERVICES PROVIDED BY THE MUNICIPAL LICENSING AND STANDARDS DIVISION (MLS) OF URBAN DEVELOPMENT SERVICES**

City Clerk, Licensing Sub-Committee
(October 25, 2001)

Advising that the Licensing Sub-Committee, at its meeting on October 10, 2001, **recommended** that:

(1) the existing fee schedule of Chapter 441-6 of the Municipal Code Dealing with Fees for Services Provided by the Municipal Licensing and Standards Division (MLS) of Urban Development Services, be amended to:

(a) add a fee of \$25.00 for the rescheduling of attendance at the Taxicab Driver Refresher Training Course;

- (b) add a fee of \$25.00 for the rescheduling of attendance for the First Aid and Cardiopulmonary Resuscitation Course (CPR) provided by the Emergency Medical Services Division; Works and Emergency Services Department;
 - (c) amend the existing rescheduling fee for the First Aid and CPR course associated with the 17-day Effective Taxicab Driver Training Programme from \$50.00 to \$25.00;
 - (d) allow for the above-noted fee(s) to be waived should extenuating circumstances exist, subject to submission of supporting documentation acceptable to the Executive Director or his/her designate; and
- (2) the appropriate City officials be directed to take the necessary action to give effect thereto and that authorization be given for the introduction of the necessary bill in Council to amend Chapter 441-6 of the Municipal Code.

6. PROPOSED AMENDMENT TO BY-LAW 574-2000, SCHEDULE 8, AS IT RELATES TO TAXICAB OWNER VEHICLE TRANSFERABILITY

City Clerk, Licensing Sub-Committee
(October 25, 2001)

Advising that the Licensing Sub-Committee, at its meeting held on October 10, 2001, **recommended** that:

- (1) By-law 574-2000 be amended to allow for the transferability of vehicles to be used as taxicabs providing the vehicle is in active use as a registered taxicab or was in active use as a registered taxicab in the 45-day period immediately preceding the date of application for transfer; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect hereto including authorization of the introduction of the necessary bill in Council to amend By-law 574-2000.

7. ILLEGAL TAXICABS AND LIMOUSINES (LIVERY CABS)

City Clerk, Licensing Sub-Committee
(October 29, 2001)

Advising that the Licensing Sub-Committee, at its meeting held on October 10, 2001) **recommended** that:

- (1) a working group be established, through the Taxicab Advisory Committee, to meet with staff to review the report (September 19, 2001) from the Commissioner of Urban Development Services to consider suggestions on how enforcement regarding taxicabs and limousines operating illegally within the City of Toronto may be improved, such enforcement to include seeking the co-operation of the City of Mississauga, and the Regional Municipalities of Durham and York, and that the Working Group's recommendations be submitted to the Licensing Sub-Committee; and
- (2) the Commissioner of Urban Development Services be requested to report to the Licensing Sub-Committee on the consideration of requesting the services of certain off-duty police officers for a month to assist in the prosecutions of unlicensed taxicab and limousines operating illegally within the City of Toronto.

8. LICENSING OF STRIP PLAZAS (STRIP MALLS) IN ORDER TO REGULATE THEIR MAINTENANCE

City Solicitor

(October 26, 2001)

Commenting on the feasibility of a proposal to use the City's licensing powers to require all businesses located in a strip plaza to be parties to a collective strip plaza licence and to enter into a collective property maintenance agreement, and **recommending** that this report be received for information.