



**PLANNING AND TRANSPORTATION COMMITTEE
AGENDA
MEETING No. 5**

Date of Meeting:	April 29, 2002	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 MARCH 25, 2002 MEETING - available in q:\2002\standing\planning\minutes and on the City's website

1. 10:00 A.M. REPORT ON REVIEW OF ONTARIO MUNICIPAL BOARD DECISIONS - FILE: UD03 OMB

Commissioner of Urban Development Services
(March 7, 2002)

Conveying the findings of a review of the Ontario Municipal Board decisions and making recommendations to improve the planning process, and **recommending** that:

- (1) the Commissioner of Urban Development Services continue streamlining the development approval process as part of her ongoing Business Process Review;
- (2) City Council request that the Ontario Municipal Board amend its procedures in dealing with 90-day appeals under Section 34(11) and Section 17(40) of the Planning Act, to allow the City an

opportunity to satisfactorily complete its development approval process, as outlined in this report;

- (3) City Council request the Province to consider amendments to the Planning Act to establish more realistic processing timeframes and that OMB hearings be treated solely as appeals rather than hearings "de novo"; and
- (4) City Council give consideration to establishing a "Local Appeal Board" to deal with planning application appeals in the City of Toronto, and that a delegation of City Council members together with the Commissioner of Urban Development Services and the City Solicitor be given authority to meet with the appropriate officials at the Province to explore this idea further.

1(a).

City Clerk, Midtown Community Council
(January 30, 2002)

Advising that the Midtown Community Council **referred** the following motion to the Planning and Transportation Committee for consideration:

“It is recommended that the Mayor, on behalf of Toronto City Council, send a letter to the Minister of Municipal Affairs and Housing requesting that the Province abolish the OMB or make substantive changes to the OMB to reflect the democratic underpinnings of our society.”

(Newspaper article appended to the foregoing communication from the City Clerk is on file in the office of the City Clerk, City Hall).

2. 10.30 A.M. TAXICAB MATTERS – AMENDMENTS TO BY-LAWS

A. PROPOSED AMENDMENT TO LICENSING BY-LAW 574-2000 RELATIVE TO A THREE-DAY TAXICAB DRIVER REFRESHER TRAINING COURSE

City Clerk, Licensing Sub-Committee
(April 12, 2002)

Advising that Licensing Sub-Committee, at its meeting on April 9, 2002, **recommended** to the Planning and Transportation Committee, for its meeting on April 29, 2002, that:

- (1) the Municipal Licensing and Standards Division, Taxi Industry Unit, Training Section design, develop and deliver (internally) a three-day (3-day) taxicab driver refresher training course that must be taken every four years by all taxicab drivers and all owners/operators who drive taxis licensed in the City of Toronto to replace the existing five-day course that must be taken every two years;
- (2) the training program include an individual attendee assessment and evaluation review at the end of each program and include a component that would address and identify weaknesses that an attendee may exhibit;
- (3) at the end of one year of the new refresher program, the Commissioner of Urban Development Services report to the Licensing Sub-Committee on the success of the program and whether it is necessary to implement programs as preparatory requirements and/or remedial actions to assist attendees;
- (4) all taxicab drivers and all owners/operators who drive taxis licensed in the City of Toronto be required to take CPR training every four years;
- (5) owners of taxicabs who do not drive taxis be required to take at least a one-day course every four years to demonstrate knowledge of those portions of the By-law that pertain to the management of the taxi;
- (6) By-law 547-2000 be amended to implement the three-day taxicab driver refresher training course, and the foregoing recommendations, and that authority be granted for the introduction of the necessary bill in Council to give effect thereto.

B. PROPOSED AMENDMENT TO LICENSING BY-LAW 574-2000 RELATIVE TO THE ELIMINATION OF MANDATORY USE OF TRIP RECORDS BY TAXICAB DRIVERS

City Clerk, Licensing Sub-Committee
(April 12, 2002)

Advising that the Licensing Sub-Committee, at its meeting on April 9, 2002, **recommended** to the Planning and Transportation Committee, for its meeting on April 29, 2002:

- (1) the adoption, in principle, of the report (March 8, 2002) from the Commissioner of Urban Development Services; and
- (2) requested the Commissioner of Urban Development Services to report directly to the Planning and Transportation Committee for its meeting on April 29, 2002 on:
 - (a) the comments made by Jim Bell and Arvind Agarwal and also the issue of including break times into the trip records; and
 - (b) how the following proposed amendment to the report (March 8, 2002) from the Commissioner of Urban Development Services can be implemented:

“A driver and owner may be excused from provisions (d) and (e) if they voluntarily consent to provide the statistical data required by the City by consenting in written form to permit the downloading of data from their taxi meter as directed by staff.”

3. 11:00 A.M. HOURS OF OPERATION FOR GASOLINE SERVICE STATIONS

City Clerk, Licensing Sub-Committee
(February 25, 2002)

Advising that the Licensing Sub-Committee recommends that:

- (1) the hours of operation of all service stations be established to be from 9:00 a.m. to 5:00 p.m., Monday to Saturday, with the exception of those service stations whose hours of operation are specifically detailed under Schedule "A" of the Licensing By-law;
- (2) service stations selecting alternative hours of operation be requested to voluntarily agree to post changes in gasoline prices 48 hours in advance in a manner prescribed by the City;

- (3) the Province of Ontario be requested to pass legislation similar to that in the Provinces of Prince Edward Island, Quebec and Newfoundland regarding the regulation of the time of posting of gasoline price changes;
- (4) the Minister of Consumer and Commercial Relations be requested to appoint Toronto Licensing inspectors as inspectors under Bill 44, an Act respecting the price of motor vehicle fuel; and
- (5) the assistance of the Association of Municipalities of Ontario be sought on this matter.

The Licensing Sub-Committee further recommends that the major oil companies be invited to make depositions at the March 25, 2002 meeting of the Planning and Transportation Committee.

3(a).

City Solicitor
(April 15, 2002)

IN-CAMERA **In accordance with the Municipal Act, a motion is required for the Committee to meet privately and the reason must be stated.**

Confidential report respecting hours of operation of gasoline service stations, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

3(b).

Victoria A. Masnyk, President,
Swansea Area Ratepayers Association
Swansea Area Ratepayers Group
(March 19, 2002)

Supporting the regulation of hours of operation of gasoline stations in residential areas

4. 11:30 A.M. ALL CITY OF TORONTO LICENSED TAXICABS TO BE THE SAME COLOUR

City Clerk, Licensing Sub-Committee
(April 12, 2002)

Advising that the Licensing Sub-Committee, at its meeting on April 9, 2002, **recommended** that the Planning and Transportation Committee, at its meeting on April 29, 2002:

- (1) **support** the concept of requiring all taxicabs at the time of vehicle replacement to be of one colour for the following reasons:
 - (a) ease of identification for enforcement purposes which distinguishes them from out-of-town taxicabs;
 - (b) allows driver to move from one brokerage to another without having to re-paint cars;
 - (c) safety concerns;
 - (d) allows for quick identification of all taxis by the public, particularly as it pertains to insurance and safety requirements.

- (2) **refer** this matter to the Commissioner of Urban Development Services:
 - (a) for a report back to the Licensing Sub-Committee on a process for selecting a colour and decal design which would include:
 - (i) involvement by the public in its selection including the concept of establishing a public competition utilizing the City's website in ballot submission;
 - (ii) consultation with the Commissioner of Economic Development, Culture and Tourism and the Design Exchange; and
 - (iii) an indication of the budgetary implications for this process;
 - (b) with a request that she review how Ambassador cabs can be distinguished from standard class cabs if all cabs were the same colour, and report back to the Licensing Sub-Committee;
 - (c) with a request that she consult with the City Solicitor and the Taxicab Advisory Committee and review the trademark issues of existing brokerages and report back to the Licensing Sub-Committee; and

- (3) refer this matter to the Taxicab Advisory Committee for consideration and report back to the Licensing Sub-Committee.

5. DEVELOPMENT APPROVAL PROCESS - FILE: UDOZ-DRA - All Wards

Commissioner, Urban Development Services

(Report not yet available)

6. TORONTO PEDESTRIAN CHARTER

Commissioner of Urban Development Services

(April 8, 2002)

Forwarding the Toronto Pedestrian Charter as prepared by the City's Pedestrian Committee for Council's authorization for the production and dissemination of the Charter, and **recommending** that Council:

- (1) adopt the proposed Toronto Pedestrian Charter as prepared by the City's pedestrian Committee and attached to this report; and
- (2) authorize the appropriate City staff to lay out and design a final copy of the Charter for production and distribution.

- 6(a).** Sue Zielinski, Director, Moving the Economy
(April 12 2002)

Supporting the Pedestrian Charter

- 6(b).** Dr. Bob Frankford
(April 10, 2002)

Supporting the Pedestrian Charter

- 6(c).** Mike Olivier, Chair, Rocket Riders
(April 9, 2002)

Supporting the Pedestrian Charter

- 6(d).** Douglas Young, Planning Action
(April 9, 2002)

Supporting the Pedestrian Charter

- 6(e).** Jane Jacobs
(April 12, 2002)

Supporting the Pedestrian Charter

- 6(f).** Wayne Roberts, Project Coordinator, Toronto Food Policy Council
(April 12, 2002)

Supporting the Pedestrian Charter

- 6(g).** Humewood Neighbourhood Committee
(April 11, 2002)

Supporting the Pedestrian Charter

- 6(h).** Anne Gibson, Executive Director, Green Tourism Association
(April 11, 2002)

Supporting the Pedestrian Charter

- 6(i).** Julie Beddoes, Secretary
Gooderham & Worts Neighbourhood Association
(April 15, 2002)

Supporting the Toronto Pedestrian Charter.

- 6(j).** Yvonne Parti
(April 11, 2002)

Supporting the proposed Toronto Pedestrian Charter.

7. INCENTIVES FOR REQUIRING BUSINESSES LOCATED IN STRIP PLAZAS (STRIP MALLS) TO MAINTAIN COMMON PARKING AREAS

Note: This item was referred from the Planning and Transportation Committee meeting on March 25, 2002, pending the outcome of the meeting scheduled to be held on March 27, 2002 on the review of the new Municipal Act.)

Acting City Solicitor
(March 8, 2002)

Commenting on a request for by-law amendments and licensing requirements which would create an incentive for businesses sharing a common parking area to be required to maintain the common parking area, and **recommending** that this report be received for information.

8. ONTARIO MUNICIPAL BOARD ORDER ON AN APPLICATION BY THE GREATER TORONTO AIRPORTS AUTHORITY TO AMEND THE METROPOLITAN TORONTO, ETOBICOKE AND NORTH YORK OFFICIAL PLANS - Etobicoke North (Ward 2); Etobicoke Centre (Ward 3); York West (Ward 7)

Commissioner, Urban Development Services
(March 20, 2002)

To **insert** a new Appendix into the Metropolitan Toronto Official Plan, consistent with a recent Ontario Municipal Board Order with respect to an application by the Greater Toronto Airports Authority to amend the Plan, and **recommending** that City Council, by resolution, delete the existing Appendix "F" in the Metropolitan Toronto Official Plan and insert a revised Appendix "F" as attached to this report.

9. PROPOSAL TO AMEND THE ZONING BY-LAW FOR THE FORMER CITY OF TORONTO REGARDING DEVELOPMENT STANDARDS TO ADDRESS DRIVE-THROUGH RESTAURANTS AND OTHER DRIVE-THROUGH OPERATIONS - MIDTOWN COMMUNITY COUNCIL (CLAUSE NO. 28, REPORT NO. 1) - CITY-WIDE

Commissioner, Urban Development Services
(March 4, 2002)

Reporting on a motion passed by Midtown Community Council at its meeting of January 29, 2002, with respect to identifying amendments to the Zoning By-law for the former City of Toronto to restrict or ban drive-through restaurants and to report on a motion by

the Toronto Pedestrian Committee to investigate the need for a specific by-law to address the issues raised by drive-through operations in all parts of the City, and **recommending** that:

- (1) City staff be directed to review the Zoning By-law for the former City of Toronto and prepare development standards to address the issues raised by drive-through operations in consultation with Building Division, Works and Emergency Services, the Toronto Transit Commission, and Economic Development, Culture and Tourism; and
- (2) City staff be directed to consult with representatives from the restaurant and fast-food industry.

9(a). Commissioner, Urban Development Services

(Supplementary report - not yet available)

9(b). City Clerk, Toronto Cycling Committee
(February 20, 2002)

Advising that the Toronto Cycling Committee, at its meeting held on February 18, 2002, **recommended** the approval of the following Motion to the Planning and Transportation Committee, as approved by the Toronto Pedestrian Committee at their meeting on October 31, 2001:

“Whereas Corporations, and businesses, such as: fast food restaurants, coffee shops and banks, are increasingly introducing drive-through facilities on their properties, both those that are new and those being refurbished; and

Whereas this type of service encourages car usage while discouraging walking; and

Whereas emissions from idling vehicles waiting for service at drive-through facilities contribute to the degradation of the quality of air in the City; and

Whereas planning policies of the former jurisdictions and the emerging planning policy for the City of Toronto encourage the reduction of car use dependency while promoting alternative means of sustainable transportation, such as: walking, cycling, and transit use.

The Toronto Cycling Committee recommends that the Planning and Transportation Committee direct staff to investigate the need for a specific By-law that addresses issues related to drive-through facilities in all parts of the City.”

10. GRAFFITI TRANSFORMATION GRANTS PROGRAM: 2002 RECOMMENDATIONS

Commissioner, Urban Development Services
(April 4, 2002)

To **recommend** grants to 18 organizations for the removal of graffiti and the transformation of vandalized surfaces into murals. As a re-investment in both the liveability of urban neighbourhoods and the youth in those communities, agencies train and employ young people to carry out the work, and **recommending** that:

- (1) the Graffiti Transformation Program grants be allocated to the community groups as outlined in Appendix A of this report;
- (2) Council deem these grants to be in the interest of the Municipality; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

11. SERVICE LEVEL AND HARMONIZATION INITIATIVES RESPONDING TO RECOMMENDATIONS OF THE AUDIT COMMITTEE, BUILDING DIVISION REVIEW 2001

Commissioner of Urban Development Services
(April 8, 2002)

Advising that Recommendation (1) of Clause No. 5 of Audit Report 10, adopted by City Council on December 4, 5 and 6, 2001, required the Commissioner of Urban Development Services to report on an implementation plan to further harmonize and improve service levels to clarify roles and responsibilities of divisional staff to develop service level agreements with other divisions and departments and to identify additional short term resources required, if any, to carry out this implementation plan, and further advising that Council, on March 4,5, 6 and 7, 2002, established a Task Force to consider a one-window approach to development approvals, including the reducing the time to issue building permits, and **recommending** that:

- (1) this report be received for information; and
- (2) a copy of this report be forwarded to the Audit Committee for its information.

12. INSTALLATION OF TREES ON CITY BOULEVARDS APPROVED FOR BOULEVARD CAFÉ LICENSES

Commissioner, Urban Development Services
(April 9, 2002)

Outlining the procedure to introduce tree installations within approved boulevard café areas, and **recommending** that:

- (1) the Committee approve the requirement for tree planting within an approved boulevard café area in the former City of Toronto in accordance with the following criteria:
 - (1) application requests for boulevard cafés will include disclosure of all fees connected with the processing of the application;
 - (2) once the application has been accepted, the location is inspected for compliance with the physical criteria for boulevard cafés set out in Chapter 313 of the former City of Toronto Municipal Code. If the location is found to be physically feasible for the approval of the boulevard café, the processes have been completed and the poll is favourable the business operator would then be notified that he/she should arrange with Urban Forestry for an inspection for the tree installation. Should the installation inspection find that the location is suitable for planting, Urban Forestry, Economic Development, Culture and Tourism (EDCT), will advise accordingly. The fee for planting will be collected, and the licence to operate the café issued. The requirement for tree planting is limited to the installation of one tree at any site;
 - (3) should the outcome of processing require the café application to be refused due to a negative response to a neighbourhood poll, there would be no request for tree-planting inspection conducted.
 - (4) in the case where an applicant appeals a refusal of a café licence, a report is prepared for Council's consideration. If the appeal is granted, the requirement for licensing the café would include inspection by Urban Forestry for tree installation. The licence would not be granted until the fee for the tree installation, where feasible, has been collected;
 - (5) the decision on the feasibility of tree planting is to be made by Urban Forestry and its decision is final. No licences will be withheld if the location is not suitable for tree installations. Licences will not be withheld for planting to occur;
 - (6) existing licensed café locations will be "grandfathered", and therefore not subject to tree planting requirements;

- (7) this process will be implemented where existing café locations apply to have a licence processed for a new business owner (transfer);
- (2) this report be forwarded to all Community Councils impacted by this proposal;
- (3) staff be directed to report back to the Planning and Transportation Committee on the impact of this programme and to introduce measures to harmonize this requirement into boulevard café licences, City-wide in not more than one year's time; and
- (4) the appropriate City officials be authorized to prepare any necessary amendments to Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code and introduce the necessary bills in Council to give effect thereto.

13. BILL 159, 2001, AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT WITH RESPECT TO PASSENGER VEHICLES

City Clerk, Licensing Sub-Committee
(April 12, 2002)

Advising that the Licensing Sub-Committee, at its meeting on April 9, 2002, **recommended** to the Planning and Transportation Committee, for its meeting on April 29, 2002, that Council express its support for, and encouragement of its reintroduction, a proposed private members Bill 159, 2001 which would make it a provincial offence to convey passengers in a motor vehicle for compensation unless the driver and owner or lessee are licensed under any municipal by-law, and request the City Clerk to advise Mr. Raminder Gill, MPP and all provincial political parties of Council's support and encouragement in this regard.

14. POSSIBLE AMENDMENTS TO THE EXISTING PROVINCIAL LEGISLATION WITH A VIEW TO THE CITY MAKING IT ILLEGAL FOR A LIVERY CAB OPERATING WITHIN THE CITY OF TORONTO TO PICK UP A PASSENGER WITHOUT A PRE-REGISTRATION

City Clerk, Licensing Sub-Committee
(April 12, 2002)

Advising that the Licensing Sub-Committee at its meeting on April 9, 2002, **recommended** to the Planning and Transportation Committee, for its meeting on April 29, 2002:

- (1) that the Province be requested to either amend s.232.1(b)(i) of the Municipal Act and s.155(2) of the new Municipal Act to delete the provision that Licensing By-laws cannot apply to trips originating from within the City and terminating at the Airport or specifically include the authority to make Licensing By-laws applicable to cabs engaged in conveyances originating from outside of the City to destinations within the City; and
- (2) the City Solicitor be requested to amend the new Livery By-law to make conveyances originating from outside of the City and terminating within the City subject to Licensing By-laws and that such amendments be effective January 3, 2003.

15. STRATEGY TO ACHIEVE A PHASE-OUT OF NON-ESSENTIAL OUTDOOR USES OF PESTICIDES

Secretary, Board of Health
(April 9, 2002)

Advising that the Board of Health, at its meeting on April 8, 2002, submitted the attached report (March 21, 2002) from the Medical Officer of Health, regarding the development of a strategy to achieve a phase-out of non-essential outdoor pesticide use on private property, together with the discussion document and background information, to the Works Committee, Economic Development and Parks Committee, Planning and Transportation Committee, Pesticide Reference Group, and the Toronto Interdepartmental Environment (TIE) Pesticides Sub-committee for information.

(Report, titled "Towards a Strategy for the Phase-Out of Non-essential Uses of Pesticides", and Attachments 1 to 4 appended to the report (March 21, 2002) from the Medical Officer of Health, are distributed with this agenda to Members of the Committee and appropriate staff only).

15(a). Secretary, Board of Health
(April 11, 2002)

Submitting communications which were forwarded to the Clerk's Office subsequent to the Board of Health meeting on April 8, 2002.