



**PLANNING AND TRANSPORTATION COMMITTEE
MEETING NO. 4**

Date of Meeting: Wednesday April 28, 2004 **Enquiry:** Patsy Morris
Time: 9:30 a.m. **Committee Administrator**
Location: Committee Room 1 **(416) 392-9151**
City Hall pmorris@toronto.ca
100 Queen Street West

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

COMMUNICATIONS/REPORTS:

Public Meeting under the Planning Act

10:00 a.m.

- 1. Application to Amend Zoning By-law No. 168-93
61-71 Front Street, City of Toronto
(Ward 28 – Toronto Centre-Rosedale)**

(Presentation Item)

Report (January 12, 2004) from the Commissioner of Urban Development Services respecting an amendment to the Zoning By-law (168-93) as it applies to Union Station in accordance with the direction of Council at its meeting held on July 22, 23, and 24, 2003 as embodied in Clause No. 1 of Report No. 8 of the Administration Committee, Recommendation (3) (b) which directed staff to review and update the zoning for the station to facilitate its restoration and redevelopment.

Recommendations:

It is recommended that City Council:

- (1) adopt the Master Plan attached as Attachment No. 1;
- (2) amend Zoning By-law 168-93 for 61-71 Front Street West (Union Station) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4;

- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
 - (4) advise the applicant of the conditions outlined in Attachment No. 5 pertaining to the Site Plan Approval application.
- 1(a).** Communication (April 8, 2004) from the City Clerk, Toronto South Community Council, recommending that:
- (1) Mayor Miller, in consultation with the Chairs of the Planning and Transportation and Administration Committees and the Ward Councillor, retain an outside planner to conduct a peer review of the existing City and external planning documents and to work with City planning staff to create a draft Master Plan;
 - (2) a public consultation process be developed to include the Union Station Public Advisory Group, Save Union Station Committee and any other interested parties to discuss the draft Master Plan and peer review and report back to City Council through the Administration Committee;
 - (3) City Council amend Zoning By-law 168-93 for 61-71 Front Street West (Union Station) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (January 12, 2004) from the Commissioner of Urban Development Services;
 - (4) City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
 - (5) City Council advise the applicant of the conditions outlined in Attachment No. 5 of the report (January 12, 2004) from the Commissioner of Urban Development Services pertaining to the Site Plan Approval application.
- 1(b).** E-mail communication (April 13, 2004) from Mr. Ken Purvis in support of the request of the Toronto South Community Council that an independent review take place regarding the future of Union Station.
- 1(c).** E-mail communication (April 14, 2004) from Mr. Russell Weiss advising of his strong support of the decision of the Toronto South Community Council that the City should get independent advice on public objectives for the redevelopment of Union Station.
- 1(d).** E-mail communication (March 31, 2004) from Mr. Ken Lalonde urging the Toronto South Community Council to retain an independent consultant to draft a master plan on the future of Union Station.
- 1(e).** E-mail communication (April 5, 2004) from Mr. Clay Mcfayden requesting that no ads are allowed in any historic areas, like the Great Hall or anywhere on the outside of Union Station.

2. Public Meeting **10:30 a.m.**
**Amendments to Municipal Code Chapter 447 Fences,
 and Chapter 441, Fees**

Report (March 26, 2004) from the Commissioner of Urban Development Services recommending changes to Municipal Code Chapter 447, Fences, and recommending amendments to Chapter 441, Fees, in order to introduce a technical amendment to re-orient the current fee to cover the cost of a permit application for a swimming pool enclosure and to introduce a fee for applications for an exemption to Chapter 447.

Recommendations:

It is recommended that:

- (1) Chapter 447, Fences, of the Municipal Code be amended substantially as set out in Appendix "A" attached to this report;
- (2) Chapter 441, Fees, be amended to include an application fee of \$84.00 for a permit to construct a swimming pool enclosure and a fee of \$200.00 be applied to an application for an exemption to Chapter 447, Fences; and
- (3) the City Solicitor be authorized and directed to introduce the necessary bills at Council to give effect thereto.

3. Public Meeting **11:00 a.m.**
Pedicabs in the City of Toronto

Report (March 15, 2004) from the Commissioner of Urban Development Services recommending amendments to the City of Toronto Municipal Code, Chapter 545, Licensing, Article III, regarding the regulating of the operation of pedicabs in the City of Toronto.

Recommendations:

It is recommended that:

- (1) the City of Toronto Municipal Code, Chapter 545, Licensing, Article III, relating to owners and drivers of pedicabs, be amended, in the interests of nuisance control and protecting the safety of the public, to restrict pedicabs from:
 - (a) all streets; or
 - (b) certain streets

within the downtown core defined as the west side of Spadina Avenue, the Canadian Pacific Railway line (north of Dupont Street), the east side of Jarvis Street and the south side of Front Street; and

if the Planning and Transportation Committee recommends to City Council that the restrictions be imposed in accordance with (1)b), that the Commissioner of Urban Development Services report back to the Planning and Transportation Committee on the description of streets to be affected by any proposed restrictions;

- (2) the Commissioner of Urban Development Services consult with the pedicab industry and report to the Planning and Transportation Committee to establish a time based scheme for the charging of rates for pedicab services, in Canadian dollars, determined by time, and which requires a pedicab owner or driver to provide, in writing, a reasonable estimate of the fare to be charged for the services of the pedicab, prior to the commencement of the trip, and such fare shall not exceed the estimate by more than ten percent;
- (3) Chapter 545 be further amended to require a sign clearly visible to the passengers in a pedicab, citing the rate per minute, for the use of the pedicab, such sign to be a minimum dimension of 41 centimetres long and 21 centimetres high with lettering no smaller than 5 centimetres in height, in a highly contrasting colour, and such sign shall include the current rate of exchange for currency of the United States;
- (4) Chapter 545 be further amended to require the issuance of receipts to pedicab passengers, which indicate the date, time, pedicab licence number and the full name of the driver;
- (5) Chapter 545 be further amended to prohibit aggressive solicitation of the public by pedicab owners and drivers;
- (6) Chapter 545 be further amended to require that all pedicab drivers and owners possess a valid Province of Ontario Driver's licence and be a minimum of eighteen years of age;
- (7) Chapter 545 be further amended to prohibit pedicabs on all city streets between the hours of 3:30 p.m. and 6:30 p.m., Monday to Friday; and
- (8) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and

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

In Camera

- 3(a).** Confidential report (April 14, 2004) from the City Solicitor regarding pedicabs in the City of Toronto such report to be considered in-camera having regard that the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- 3(b).** Communications and incident reports from various individuals respecting the use of Pedicabs in the City of Toronto.

(Note: Communications referred to in Item 3(b) above were forwarded to Members of the Committee and selected officials only and copies thereof are also on file in the office of the City Clerk, City Hall.)

4. Protocol for Enforcement of Property Standards and Other By-laws in Residential Rental Apartment Buildings

Report (April 5, 2004) from the Commissioner of Urban Development Services reporting on the protocol for enforcement of property standards and other bylaws in rental residential apartment buildings.

Recommendations:

It is recommended that:

- (1) Council adopt the Protocol for Enforcement of Property Standards and Other By-laws in Residential Rental Apartment Buildings (Appendix A);
- (2) staff develop a communication plan for the distribution of the Protocol; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

5. Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation – Owned Buildings

Report (April 5, 2004) from the Commissioner of Urban Development Services providing a status report on the activity levels, inspection demands and staffing requirements resulting from the adoption of the protocol for enforcement of property standards in Toronto Community Housing Corporation-owned buildings.

Recommendations:

It is recommended that:

- (1) the report on the activity levels resulting from the adoption of the Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation-owned buildings be received for information; and
- (2) the Toronto Community Housing Corporation be encouraged to post copies of the Protocol for Enforcement of Property Standards in the common areas of its buildings and to include a copy of the Protocol on its website.

6. New Toronto Official Plan – Monitoring

Report (April 6, 2004) from the Commissioner of Urban Development Services outlining the monitoring and tracking provisions of the new Official Plan as they relate to the Plan's implementation and review; advising that there are no financial implications arising from this report; and recommending that this report be received for information.

7. Municipal Code Chapter 591, Noise, Related to Leaf Blowers

Report (March 22, 2004) from the Commissioner of Urban Development Services reporting on a motion referred by Council to the Planning and Transportation Committee related to leaf-blowers in Ward 22 and recommending that this report be received for information.

8. Budgetary and Staffing Implications of City Council's Amendments to the Revised Organization Structure for the Committee of Adjustment, August 14, 2003 (All Wards)

(Deferred from the January 8, 2004 meeting)

Report (December 15, 2003) from the Commissioner of Urban Development Services reporting back on the budgetary and staffing implications of City Council's amendments to the revised organizational structure of the Committee of Adjustment, adopted at its meeting on September 22, 23, 24 and 25, 2003; and Should Council wish to proceed with its decision to hold evening meetings, it is recommended that:

- (1) the annual Operating Budget for Urban Development Services be increased by \$454,000.00; and
- (2) the Commissioner, Urban Development Services, be authorized to create three new Assistant Planner positions above the existing City Planning establishment, to be assigned to the Committee of Adjustment.

- 8(a).** Communication (February 19, 2004) from City Clerk, Toronto South Community Council advising that the Toronto South Community Council recommends that Committee of Adjustment meetings begin at 4:00 p.m.
- 8(b).** Communication (February 19, 2004) from the City Clerk, Toronto West Community Council advising that the Toronto West Community Council recommends to the Planning and Transportation Committee that the starting time for Committee of Adjustment public hearings, be maintained at 2:00 p.m.
- 8(c).** Communication (February 20, 2004) from the City Clerk, Toronto North Community Council advising that the Toronto North Community Council on February 17, 2004 referred the following recommendation to the Planning and Transportation Committee:
- "That the starting time for the meetings of the Committee of Adjustment – North York Panel, remain at 2:00 p.m.
- 8(d).** Communication (February 18, 2004) from the City Clerk, Toronto East Community Council advising that the Toronto East Community Council recommends that the starting time for the Toronto East Committee of Adjustment be 9:30 a.m.

9. Safety Cameras in All Toronto Taxis

Notice of Motion (undated) submitted by Councillor Howard Moscoe stating that:

Whereas: in 1999, the city of Toronto, in the face of a growing number of attacks on Taxi drivers, mandated that, as a safety measure, all Toronto taxis be required to install either a security camera or a GPS (global positioning system) and;

Whereas: while the majority of taxis opted for cameras some brokerages elected instead to install the GPS system; and

Whereas: safety cameras have resulted in a substantial reduction of attacks on drivers as well as a significant lowering of incidents of transportation fraud; and

Whereas: It would appear that from a safety perspective, GPS has not fulfilled its promise; and

Whereas: All licensed Toronto taxi drivers deserve equal protection; and

Whereas; There has been sufficient time to fully evaluate both systems;

Therefore be it resolved: that staff report to the Planning and Transportation Committee the advisability of now requiring all Toronto Taxis to install safety cameras; and

Be it further resolved: that this report be available for consideration by the May meeting of the Committee.

10. Review of Parking Standards for Suburban Regional Branch Banks

Notice of Motion (undated) submitted by Councillor Howard Moscoe stating that:

Whereas the zoning bylaw specifies standards for the establishment of a business, not the least important of which is a parking standard; and

Whereas where in instances where there is a constant turnover of customers, like medical offices, these properties are held to a higher standard; and

Whereas as the nature of land uses change from time to time, it is incumbent on the municipality to review these standards. For example, when it became apparent that churches, which were once “walk to” neighbourhood facilities, had become regional “drive to” facilities, North York adjusted its parking standards to require more parking spaces. At the same time North York allowed churches to locate in industrial areas; and

Whereas in recent years, banks have been closing branches and folding the operation of 2, 3, or 4 local branches into a single branch; and

Whereas this plus the introduction of machine banking, has converted what was once a local branch into a regional facility; and

Whereas this has put enormous pressure on local, particularly residential neighbourhoods;

Therefore Be it Resolved that the Planning Department do a study of the bylaw with a view to determining if a higher parking standard is required for the establishment of suburban branches; and

Be it Further Resolved that consideration be given to the possibility of licensing ATMs to control a “convenience” which in some neighbourhoods has become a “nuisance”; and

Be it further Resolved that this matter be referred to the Planning and Licensing departments for a report back to the Planning and Transportation Committee no later than June 2004.

11. Highway 27 as a Rapid Bus Transit Route

Communication (April 6, 2004) from Councillor Suzan Hall advising that Highway 27 crisscrosses throughout much of Etobicoke and would be an ideal location for a designated Rapid Bus Transit route; and requesting that Urban Development Services report back to the committee on the feasibility of amending the Official Plan – High Order Transit Corridors.

12. Delegation of Authority to Instruct the City Solicitor on Litigation Court Proceedings Relating to Municipal Licensing and Standards Issues

Joint report (March 17, 2004) from the City Solicitor and the Commissioner of Urban Development Services requesting Council's approval to delegate to the Executive Director of Municipal Licensing and Standards the authority to instruct the Legal Division on litigation court proceedings on municipal standards and licensing issues, including breaches of the City's zoning by-laws.

Recommendations:

It is recommended that:

- (i) the Executive Director of Municipal Licensing and Standards ("MLS") be authorized to instruct the Legal Division on litigation court proceedings relating to the enforcement of the City's municipal standards and licensing by-laws and the City's zoning by-laws;
- (ii) the Executive Director of MLS's authority includes the authority to instruct the Legal Division to commence litigation court proceedings or to resolve proceedings where the Executive Director of MLS deems it be in the best interests of the City to do so; and
- (iii) the Executive Director of MLS report to City Council on an annual basis on the litigation court proceedings undertaken pursuant to this delegated authority.

13. Proposed Amendment to Licencing By-law to Regulate Issuance of Parking Tickets

Communication (April 19, 2004) from the City Clerk advising that City Council on April 15 and 16, 2004, adopted without amendment, the following Motion by Councillor Moscoe seconded by Councillor Altobello:

“WHEREAS the Toronto Police Service and motorists have complained of the issuance of phony parking tickets and fraudulent invoices on private parking facilities; and

WHEREAS it is estimated that there are more than 30,000 of these tickets issued annually to motorists who are duped or intimidated into paying them, believing them to be legitimate and enforceable; and

WHEREAS motorists receiving such invoices have no right of recourse, or appeal of the issuance, or amount of the notice; and

WHEREAS the amounts claimed are exorbitant and patrons who do not pay these tickets/invoices are harassed by collection agencies who threaten their personal credit ratings; and

WHEREAS this phenomena has grown into a major epidemic within the City of Toronto; and

WHEREAS these abuses should be addressed by an amendment to the City's licensing bylaw in the interests of consumer protection;

NOW THEREFORE BE IT RESOLVED THAT this matter be referred to the Planning and Transportation Committee for consideration at its meeting to be held on April 28, 2004, and that notice be given in accordance with Chapter 162, Notice, Public;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services, in consultation with the City Solicitor, and the Toronto Police Service, be requested to report with respect to an appropriate amendment to Chapter 545, Licensing, of the Municipal Code, to eliminate the ability of private parking enforcement agencies, to issue invoices or look alike tickets, and restrict the issuance of tickets to legal City of Toronto tickets issued by certified municipal law enforcement officers;

AND BE IT FURTHER RESOLVED THAT the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of this Notice of Motion at the Special meeting of Council to be held on April 15 and 16, 2004.”

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

In Camera

14. Proposed Settlements of Appeals to the New Official Plan 003011

Joint confidential report (April 2, 2004) from the Commissioner of Urban Development Services and the City Solicitor regarding proposed settlements of appeals to the new Official Plan such report to be considered in-camera having regard that the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.