

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 2

Thursday, January 8, 2004

The Planning and Transportation Committee met on Thursday, January 8, 2004, in Committee Room No. 1, City Hall, Toronto, commencing at 9:40 a.m.

Attendance

Members were present for some or all of the time periods indicated.

	9:40 a.m. to 12:31 p.m.	2:08 p.m. to 3:50 p.m.
Councillor Gerry Altobello, Chair	X	X
Councillor John Filion	X	
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn, Vice- Chair	X	X
Councillor Howard Moscoe	-	-
Councillor Cesar Palacio	X	X
Councillor Bill Saundercook	X	X
Councillor Karen Stintz	X	X

Regrets:

Councillor Howard Moscoe

Confirmation of Minutes

On motion by Councillor Saundercook, the Planning and Transportation Committee confirmed the Minutes of its meeting held on December 4, 2003.

2.1 Administrative Charges for Remedial Work

The Planning and Transportation Committee had before it a report (December 16, 2003) from the Commissioner of Urban Development Services recommending that:

- (1) Chapter 441 of the City of Toronto Municipal Code be amended to permit for the recovery of the City's administrative costs incurred for remedial work carried out under regulatory authorities, and, if necessary, to add them to the tax roll for collection purposes;
- (2) the aforementioned administrative costs be recovered as a scaled fee based on the costs incurred by the City for contracts of various lengths, as per the calculations provided in Schedule A of this report; and
- (3) the City Solicitor be directed to prepare the necessary bill to give effect to the recommendations, as of March 1, 2004.

On motion by Councillor Saundercook, the Planning and Transportation Committee recommended to Council:

- (1) the adoption of the foregoing report (December 16, 2003) from the Commissioner of Urban Development Services; and
- (2) that a copy of the aforementioned report be forwarded to the Budget Advisory Committee.

(Clause No. 1, Report No. 1)

2.2 Business Licensing Thresholds

The Planning and Transportation Committee had before it the following reports and communications:

- (i) report (December 5, 2003) from the Commissioner of Urban Development Services reporting back to the Planning and Transportation Committee on the concerns it raised with respect to the August 12, 2003 report on Business Licensing Thresholds at its meeting of September 3, 2003; and recommending that:

- (1) the recommendations from the August 12 report be adopted;
 - (2) Schedule A of the August 12 report be replaced with Schedule A of this report; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (ii) report (August 12, 2003) from the Commissioner of Urban Development Services recommending that:
- (1) Licensing thresholds be established according to classification of licence, as detailed in Schedule A of this report;
 - (2) Recommendation No. (1) be enabled through an amendment to the City of Toronto Municipal Code, Chapter 545, Licensing;
 - (3) staff report on training for Tribunal members on licensing thresholds and the Tribunal's procedural principles and operations;
 - (4) Council direct the Tribunal to render a brief written decision statement with reasons for each hearing it adjudicates;
 - (5) Council also direct the Tribunal to report to the local Community Council for stationary licences and to the Planning and Transportation Committee regarding mobile and trades licences, setting out the basis for issuing any licence, contrary to the thresholds established as part of the working framework of Chapter 545, Licensing, of the Toronto Municipal Code;
 - (6) staff report further on a process of implementing by-law amendments to support a system of allowing administrative suspensions in extraordinary circumstances;
 - (7) the Committee endorse the principle of investigating the development of a corporate inventory of municipal conviction records; and
 - (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (iii) report (August 27, 2003) from the City Solicitor addressing legal issues arising from the recommendations contained in the report, dated August 12, 2003, from the Commissioner of Urban Development Services with respect to the establishment of business licensing thresholds; and recommending that if Council

wishes to establish licensing thresholds as detailed in Schedule A of the report, dated August 12, 2003, from the Commissioner of Urban Development Services:

- (1) pending the receipt and consideration by Council of the report referred to in Recommendation No. (2) below,
 - (a) such thresholds be adopted as a directive to Municipal Licensing and Standards staff to be applied in decisions on the issuance, denial or revocation of licenses;
 - (b) insofar as the Toronto Licensing Tribunal is concerned, such thresholds be considered as general policy only and not mandatory thresholds binding on the tribunal; and
 - (c) no amendment be made to the City of Toronto Municipal Code, Chapter 545, Licensing with respect to the licensing thresholds until such time as the report referred to in Recommendation No. (2) below has been considered by Council;
- (2) that the City Solicitor report further on the effect of such thresholds on the Toronto Licensing Tribunal and the implications of incorporating the thresholds in the City of Toronto Municipal Code, Chapter 545, Licensing;
- (3) in accordance with Recommendation No. (1) above, Recommendation No. (2) contained in the report, dated August 12, 2003, from the Commissioner of Urban Development Services not be adopted;
- (iv) communication (September 2, 2003) from Mr. John McIntyre, President, Taxicab Benefits Association (TBA) regarding Business Licensing Thresholds;
- (v) communication (September 2, 2003) from Ms. Dorothy Thomas, Chair, Toronto Licensing Tribunal regarding Business Licensing Thresholds Report;
- (vi) communication (Undated) from Mr. Louis M. Seta regarding Licensing Thresholds;
- (vii) communication (Undated) from Ikram Freed submitting a petition with 422 signatures; and
- (viii) communication (January 7, 2004) from Mr. Julian Fantino, Chief of Police, Toronto Police Services.

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Ms. Pam Coburn, Executive Director, Municipal Licensing and Standards, gave a presentation on the business licensing thresholds and filed a written copy of her presentation.

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

- Mr. Eugene Meikle, and filed a written submission with respect thereto;
- Mr. Ahmet Gulkan, President, Taxi Association of Toronto, and filed a written submission with respect thereto;
- Mr. Mahmoud Heydari, United Ambassador Taxi, and filed a written submission with respect thereto;
- Mr. Hossein Rashidi;
- Mr. Mohamed Hakim Zadah, President, Mobile Ambassadors Inc., and filed a written submission with respect thereto; and
- Mr. Silvio Gordon.

On motion by Councillor Jenkins, the Planning and Transportation Committee recommended to Council the adoption of the foregoing report (December 5, 2003) from the Commissioner of Urban Development Services, subject to deleting Recommendation No. (1) contained in the August 12, 2003, report from the Commissioner of Urban Development Services and inserting in lieu thereof the following:

“(1) the Licensing Thresholds in Schedule A to the report (December 5, 2003) be adopted by Council as the criteria for issuing licences by Urban Development Services’ staff;”

so that the recommendations now read as follows:

It is recommended that:

- (1) the Licensing Thresholds in Schedule A of the report (December 5, 2003) be adopted by Council

as the criteria for issuing licences by Urban Development Services' staff;

- (2) Recommendation No. (1) be enabled through an amendment to the City of Toronto Municipal Code, Chapter 545, Licensing;
- (3) Staff report on training for Tribunal members on licensing thresholds and the Tribunal's procedural principles and operations;
- (4) Council direct the Tribunal to render a brief written decision statement with reasons for each hearing it adjudicates;
- (5) Council also direct the Tribunal to report to the local Community Council for stationary licences and to the Planning and Transportation Committee regarding mobile and trades licences, setting out the basis for issuing any licence, contrary to the thresholds established as part of the working framework of Chapter 545, Licensing, of the Toronto Municipal Code;
- (6) Staff report further on a process of implementing by-law amendments to support a system of allowing administrative suspensions in extraordinary circumstances;
- (7) the Committee endorse the principle of investigating the development of a corporate inventory of municipal conviction records; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 2, Report No. 1)

2.3 Amendment to Municipal Code Chapter 447, Fences

The Planning and Transportation Committee had before it the following report and communications:

- (i) report (December 8, 2003) from the Commissioner of Urban Development Services recommending that:
 - (1) Chapter 447, Fences, of the Municipal Code be amended as set out in Appendix "A" attached to this report; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (ii) (December 19, 2003) from Councillor Peter Milczyn, Etobicoke-Lakeshore requesting that Mrs. Anna Traer, who resides in Etobicoke, be allowed to depute to the Committee in the matter of the sideyard fence which was erected by her neighbour, and that Committee consider her request for the City to take action to have the fence removed; and
- (iii) (December 8, 2003) from Councillor Peter Milczyn, Etobicoke-Lakeshore, forwarding a communication (November 30, 2003) from Mr. Tom Gough respecting amendments to the current Fence by-law.

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

- Ms. Anna Traer, and filed a written submission, petition and Notice of Motion with respect thereto; and
- Ms. Miriam Freifeld, and filed an example of Section 3 of the Table; photographs of the fence and a letter from Ms. Ivana DiRocco with respect to the aforementioned matter.

On motion by Councillor Milczyn, the Planning and Transportation Committee recommended to Council:

- (1) the adoption of the foregoing report (December 8, 2003) from the Commissioner of Urban Development Services;
- (2) requested the City Solicitor to report directly to Council for its meeting scheduled to be held

January 27, 2004, on the issue of the removal of the fence at 7 Kingsgrove Boulevard; and

- (3) referred the communication (January 7, 2004) from Ms. Anna Traer to the Commissioner of Urban Development Services for report thereon to the meeting of Council scheduled to be held on January 27, 2004.

(Commissioner of Urban Development Services; City Solicitor - January 8, 2004)

(Clause No. 3, Report No. 1)

2.4 A Framework Strategy to Ensure that Privately-Owned, Multi-Unit Residential Buildings are Maintained in Accordance with the Provisions of the Toronto Municipal Code

The Planning and Transportation Committee had before it the following reports and communications:

- (i) (December 10, 2003) from the Commissioner of Urban Development Services recommending that:
 - (1) Council adopt the framework strategy in principle;
 - (2) Council request the provincial government to take the necessary action to remove Regulation 243/02 of the Municipal Act, 2001 in order to allow the licensing of apartment buildings;
 - (3) staff be requested to report back to Committee with a workplan which outlines the necessary timelines, resources, budget implications and consultations necessary to implement this strategy; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (ii) communication (November 23, 2003) submitted by Councillor Michael Walker recommending that the Executive Director of Municipal Licensing and Standards, in co-operation with the General Manager of Shelter, Housing and Support, be instructed to report back to the Planning and Transportation Committee on the establishment of a rental apartment inspection disclosure system.

- (iii) communication (December 31, 2003) from Mr. Robert L. Burton forwarding comments respecting the report (December 10, 2003) from the Commissioner of Urban Development Services regarding a Framework Strategy to Ensure that Privately-owned multi-unit residential buildings are maintained in accordance with the provisions of the Toronto Municipal Code;
- (iv) communication (January 2, 2004) from Mr. Robert L. Burton addressed to Mr. John Gerretsen, Minister of Municipal Affairs and Housing, forwarding comments respecting the report (December 10, 2003) from the Commissioner of Urban Development Services regarding a Framework Strategy to Ensure that Privately-owned multi-unit residential buildings are maintained in accordance with the provisions of the Toronto Municipal Code.;
- (v) communication (January 2, 2003) from Ms. Sandra Pavan forwarding comments respecting the report (December 10, 2003) from the Commissioner of Urban Development Services regarding a Framework Strategy to Ensure that Privately-owned multi-unit residential buildings are maintained in accordance with the provisions of the Toronto Municipal Code; and
- (vi) communication (January 8, 2004) from Councillor Michael Walker, proposing friendly amendments respecting this matter.

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

- Ms. Barbara Hurd, on behalf of the Tenant Advocacy Group, and filed a written submission with respect thereto;
- Mr. Brad Butt, Executive Director, Greater Toronto Apartment Association;
- Ms. Gail Nyberg and Mr. Dan McIntyre, Federation of Metro Tenants Association; and
- Ms. Mary Taylor, on behalf of the Parkdale Tenants Association.

The following Members of Council also appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Councillor David Shiner, Willowdale; and
- Councillor Michael Walker, St. Paul's.

Councillor Altobello appointed Councillor Filion Acting Chair and vacated the Chair.

Councillor Altobello, on behalf of Councillor Walker, moved that the Planning and Transportation Committee recommend to Council the adoption of the foregoing report (December 10, 2003) from the Commissioner of Urban Development Services, subject to amending Recommendation No. (3) to read as follows:

“(3) staff be requested to report back individually on:

- (i) the licensing of apartment buildings;
- (ii) multi-unit residential disclosure system; and
- (iii) an enforcement protocol for apartment buildings, with a workplan for each which outlines necessary timelines, resources, budget implications and consultations necessary to implement this strategy; and **(which carried)**

Councillor Altobello, on behalf of Councillor Shiner, moved that the Commissioner of Urban Development Services be requested to investigate the possibility of a rating system for apartment buildings, similar to that of the hotel industry, and report back to the Planning and Transportation Committee on the possibility of such a system and the criteria to be followed, and that such report relate to the private and public sector housing as well as the non-profit housing sector. **(Which carried)**

The Planning and Transportation Committee:

(A) recommended to Council that:

- (1) Council adopt the framework strategy in principle;
- (2) Council request the provincial government to take the necessary action to remove Regulation 243/02 of the Municipal Act,

2001 in order to allow the licensing of apartment buildings;

- (3) staff be requested to report back individually on:
 - (i) the licensing of apartment buildings;
 - (ii) multi-unit residential disclosure system; and
 - (iii) an enforcement protocol for apartment buildings, with a workplan for each which outlines necessary timelines, resources, budget implications and consultations necessary to implement this strategy;
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and

- (B) requested the Commissioner of Urban Development Services to investigate the possibility of a rating system for apartment buildings, similar to that of the hotel industry, and report back to the Planning and Transportation Committee on the possibility of such a system and the criteria to be followed, and that such report relate to the private and public sector housing as well as the non-profit housing sector.

Councillor Altobello resumed the Chair.

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 4, Report No. 1)

2.5 Request for Enabling Legislation to Regulate Second Suites

The Planning and Transportation Committee had before it a communication (December 9, 2003) from the City Clerk advising that City Council at its First meeting held on December 2 and 4, 2003, referred the following Motion by Councillor Balkissoon, seconded by Councillor Kelly to the Planning and Transportation Committee:

Moved by: Councillor Balkissoon

Seconded by: Councillor Kelly

“**WHEREAS** Toronto’s Second Suites By-law No. 493-2000 permits second suites in all single-detached and semi-detached houses throughout the City of Toronto, provided they meet certain standards with respect to the Ontario Fire Code, Building Codes, zoning and property standards by-laws; and

WHEREAS it is estimated there are over 100,000 second suites in Toronto homes, making up approximately 20 percent of the City’s total rental housing market; and

WHEREAS according to a February 2000 report by the Toronto Disaster Relief Committee, many tenants of second suites are students, new Canadians and seniors; and

WHEREAS the above mentioned persons are often the most vulnerable and least likely to seek enforcement of their rights as a tenant; and

WHEREAS the City of Toronto has a responsibility to tenants of secondary suites to ensure landlords comply with all relevant by-laws to ensure their units are safe, secure and healthy places in which to live;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto seek enabling legislation from the Provincial Government that would require second suites be licensed by the municipality;

AND BE IT FURTHER RESOLVED THAT the City of Toronto seek enabling legislation from the Provincial Government to establish the right-of-entry of municipal by-law officers to enter residential dwellings, buildings and units to conduct inspections of licensed second suites and to inspect homes which may be in contravention of existing Building Codes, zoning and property standards by-laws.”

The following Members of Council appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Councillor Bas Balkissoon, Scarborough-Rouge River;
- Councillor Mike Del Grande, Scarborough-Agincourt;
- Councillor Frank Di Giorgio, York South-Weston;
- Councillor Norm Kelly, Scarborough-Agincourt; and
- Councillor Michael Walker, St. Paul's.

On motion by Councillor Filion, the Planning and Transportation Committee referred the foregoing communication to the Commissioner of Urban Development Services with a request that she provide to the meeting of the Planning and Transportation Committee scheduled to be held on February 5, 2004, a status report on the scope of the study being undertaken by the Commissioner of Community and Neighbourhood Services respecting legislation to regulate second suites; and on what measures are in place to deal with illegal rooming houses and any actions being taken in regard thereto.

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(a), Report No. 1)

2.6 Appointment of Building Inspectors

The Planning and Transportation Committee had before it a report (December 12, 2003) from the Commissioner of Urban Development Services recommending that this report be received and the following be adopted:

- (1) Building Division staff in conjunction with Legal Services be directed to prepare a harmonized By-law to be used as the instrument to appoint inspectors as required by the *Building Code Act* for the enforcement of the *Act* and to make necessary preparations to rescind all previous appointment By-laws; and

- (2) the appropriate City officials be authorized and directed to take the necessary action, including the introduction of a bill in Council, to give effect thereto.

On motion by Councillor Saundercook, the Planning and Transportation Committee recommended to Council the adoption of the foregoing report (December 12, 2003) from the Commissioner of Urban Development Services.

(Clause No. 5, Report No. 1)

2.7 Green Roofs Task Force

The Planning and Transportation Committee had before it a report (December 5, 2003) from the Commissioner of Urban Development Services recommending that:

- (1) the 'Green Roofs Task Force' be established in accordance with the attached terms of reference;
- (2) Council representation on the Green Roof Task Force be referred to the Striking Committee and the City Clerk be asked to canvas members of Council for their interest in participating on the Green Roofs Task Force; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Saundercook, the Planning and Transportation Committee referred the foregoing report to the Policy and Finance Committee for consideration with the forthcoming report to the Policy and Finance Committee from Mayor David Miller respecting the establishment of Sub-Committees, Advisory Committees, Roundtables and other bodies.

(Policy and Finance Committee; Commissioner of Urban Development Services – January 8, 2004)

(Clause No. 9(b), Report No. 1)

**2.8 Interim Procedures during Council Election
(All Wards)**

The Planning and Transportation Committee had before it a report (December 12, 2003) from the Commissioner of Urban Development Services recommending that:

- (1) this report be received for information; and
- (2) this report be sent to the South, North, East and West Community Councils for their information.

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

- (1) received the foregoing report; and
- (2) forwarded a copy thereof to the South, North, East and West Community Councils for information.

(Community Councils; Commissioner of Urban Development Services – January 8, 2004)

(Clause No. 9(c), Report No. 1)

2.9 “Beautification” of the Gardiner Expressway

The Planning and Transportation Committee had before it a communication (November 28, 2003) from the City Clerk, The Gardiner/Lake Shore Corridor Task Force recommending that the two communications (June 28 and November 20, 2003) from Mr. Laszlo J. Jarmai, Chair, Arawak Environmental Enterprises Ltd. be forwarded to the Planning and Transportation Committee and to the Toronto Waterfront Revitalization Corporation, for consideration.

The Planning and Transportation Committee received the foregoing communication.

(Clause No. 9(d), Report No. 1)

2.10 2004 Budget Allocations

The Planning and Transportation Committee had before it a communication (December 4, 2003) from the City Clerk, Toronto Cycling Committee, forwarding Resolution No. (2) contained therein to the Planning and Transportation Committee for consideration:

“WHEREAS the City of Toronto Official Plan envisions and encourages cycling as an alternative mode of transportation, in order to reduce dependency on the use of automobiles and improve air quality; and

WHEREAS the Toronto Bike Plan outlines a plan to expand the cycling infrastructure within the city in order to increase the number of trips taken by bicycles; and

WHEREAS the federal and provincial governments are open to a new urban agenda and possible funding of municipal infrastructure;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto, in its negotiations with the federal and provincial governments, request that a percentage of the infrastructure and transit funds be dedicated to the relevant Toronto Bike Plan budgets in order to complete the Bike Plan within its ten year time frame.”

On motion by Councillor Saundercook, the Planning and Transportation Committee referred the foregoing communication to the Commissioner of Urban Development Services for a report thereon to the Budget Advisory Committee.

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(e), Report No. 1)

2.11 “Profile Toronto: Toronto’s Housing”

The Planning and Transportation Committee had before it a report (December 5, 2003) from the Commissioner of Urban Development Services providing Council with detailed information regarding Toronto’s housing stock based on results from the 2001 Census; and recommending that the Planning and Transportation Committee receive this report for information.

The Planning and Transportation Committee received the foregoing report.

(Clause No. 9(f), Report No. 1)

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

The Planning and Transportation Committee had before it a communication (August 28, 2003) from the General Secretary, Toronto Transit Commission, advising that the Commission on August 27, 2003, adopted the following recommendations:

- (1) received for information the updated Due Diligence Checklist relating to the Russell Hill Subway Train Accident of August 11, 1995, which provides a status report on the progress toward closing the Coroner's Jury Recommendations and the TTC's Internal Team Recommendations; and
- (2) forwarded this report to the Chief Coroner of Ontario, the City of Toronto, and the Province of Ontario for information; and

directed that the aforementioned action of the Commission be forwarded to Toronto City Council, through the Planning and Transportation Committee, for information.

The Planning and Transportation Committee recommended to Council that Council receive for information, the foregoing communication (August 28, 2003) from the General Secretary, Toronto Transit Commission.

(Clause No. 6, Report No. 1)

2.13 1998 and 2001 APTA Rail Safety Audits – Updates

The Planning and Transportation Committee had before it a communication (November 20, 2003) from the General Secretary, Toronto Transit Commission advising that the Commission on November 19, 2003, adopted the following recommendations:

- (1) received for information, the fifth update of the TTC management Actions for the 1998 APTA Rail Safety Audit and the third update of the TTC management Actions for the 2001 APTA Rail Safety Audit; and

- (1) forwarded this update to the Minister of Transportation, Province of Ontario and the Clerk of the City of Toronto for information; and

directed that the aforementioned action of the Commission be forwarded to Toronto City Council, through the Planning and Transportation Committee, for information.

The Planning and Transportation Committee recommended to Council that Council receive for information, the foregoing communication (November 20, 2003) from the General Secretary, Toronto Transit Commission.

(Clause No. 7, Report No. 1)

2.14 “Profile Toronto: Employment Survey – 2003”

The Planning and Transportation Committee had before it a report (December 3, 2003) from the Commissioner of Urban Development Services updating the Planning and Transportation Committee on the results of the 2003 Toronto Employment Survey; advising that there are no financial implications resulting from this report; and recommending that this report be received for information.

The Planning and Transportation Committee received the foregoing report.

(Clause No. 9(g), Report No. 1)

2.15 Update on the “Smart Commute Initiative”: An Application for Funding from the Federal Urban Transportation Showcase Program

The Planning and Transportation Committee had before it a report (December 11, 2003) from the Commissioner of Urban Development Services recommending that Council:

- (1) reaffirm its support for the “Smart Commute Initiative” and the financial implications of this program be referred to the Budget Advisory Committee for consideration with the Urban Development Services 2004 Operating Budget;
- (2) authorize staff to negotiate a Memorandum of Understanding with the other municipal partners of the “Smart Commute Initiative” to finalize the respective roles and responsibilities of the municipal partners, pending the outcome of the 2004 Operating Budget Process;

- (3) authorize staff to pursue enabling legislation for the formation of the Smart Commute Association as a non-government, non-profit corporation with a board of directors made up of senior staff of the participating municipalities; and
- (4) direct staff to report back to the Planning and Transportation Committee when key milestones in the implementation of the “Smart Commute Initiative” are reached.

The Planning and Transportation Committee recommended to Council:

- (1) the adoption of the foregoing report (December 11, 2003) from the Commissioner of Urban Development Services; and
- (2) that a copy of the aforementioned report be forwarded to the Budget Advisory Committee.

(Clause No. 8, Report No. 1)

2.16 Amendment to the Noise By-law to Restrict Leaf-Blowers in Ward 22

The Planning and Transportation Committee had before it a communication (December 16, 2003) from Councillor Michael Walker, St Paul’s, respecting an amendment to the Noise By-law to Restrict Leaf-Blowers in Ward 22, the operative part of which reads as follows:

“BE IT FURTHER RESOLVED THAT in reference to Ward 22, City Council amend the Noise By-law (adopted by Council June 18-20, 2002) to include Recommendation No.(2)(a) embodied in the report dated November 5, 2001, from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee, to the Commissioner of Economic Development, Culture and Tourism:

“(2)(a) Section 4 be amended to reflect the prohibited period of time for the operation of a power device that blows or vacuums leaves, grass cuttings, debris or other similar material as follows:

at all times in Quiet Zones;
at all times on residential properties except during the months of October and November for leaf removal;

between 6:00 p.m. and 8:00 a.m. Monday to Saturday and at all times on Sunday on non-residential properties; and on Smog Alert days;”;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

Councillor Michael Walker, St. Paul’s, appeared before the Planning and Transportation Committee in connection with the foregoing matter.

The Planning and Transportation Committee referred the foregoing communication to the Commissioner of Urban Development Services for report thereon to the Planning and Transportation Committee.

(Commissioner of Urban Development Services;
Councillor Michael Walker --January 8, 2004)

(Clause No. 9(h), Report No. 1)

2.17 High Profile Cases considered by the Toronto Licensing Tribunal

The Planning and Transportation Committee had before it a confidential report (December 10, 2003) from the Commissioner of Urban Development Services providing a brief summary of recent high profile cases considered by the Licensing Tribunal, such report to be considered in-camera having regard that the subject matter relates to personal matters about identifiable individuals.

The Planning and Transportation Committee:

- (1) withdrew the foregoing confidential report from the agenda at the request of the Commissioner of Urban Development Services; and
- (2) established a Sub-Committee of the Planning and Transportation Committee composed of the following members of the Committee to be chaired by Councillor Milczyn, with a mandate to examine the issue of cases being considered by the Toronto Licensing Tribunal and report thereon to the Planning and Transportation Committee:

Councillor Peter Milczyn (Chair);
Councillor Cliff Jenkins; and
Councillor Karen Stintz.

(Councillor Peter Milczyn; Councillor Cliff Jenkins;
Councillor Karen Stintz; Commissioner of Urban
Development Services – January 8, 2004)

(Clause No. 9(i), Report No. 1)

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

The Planning and Transportation Committee had before it a 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 stating that should Council wish to proceed with its decision to hold evening meetings, recommending 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.

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

- Mr. Angelo Grittani, City Wide Chair, Committee of Adjustment; and
- Mr. Mitchell Kosney, Chair, Committee of Adjustment, Toronto East York Panel.

The Planning and Transportation Committee:

- (1) referred the issue of the starting times of the Committees of Adjustment meetings to the Community Councils for consideration and report back, as soon as possible, to the Planning and

Transportation Committee; **(Motion by Councillor Stintz)**

- (2) deferred consideration of the remuneration for Committee of Adjustment members until such time as a decision has been made respecting the starting times of Committee of Adjustment meetings; **(Motion by Councillor Filion)**

- (3) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee, as soon as possible:
 - (i) on current practices regarding staff reports for Committee of Adjustment applications and how these practices can be improved to provide better information to members of the Committee of Adjustments and to the public, as well as to reduce the need to hire outside planning staff for Ontario Municipal Board appeals; **(Motion by Councillor Filion)**

 - (ii) on a fee structure for Committee of Adjustment applications moving towards a recoverable model; **(Motion by Councillor Jenkins)**

 - (iii) on the possibility of sending notice to nearby residents at the time the application is received, such report to include cost implications; **(Motion by Councillor Jenkins)** and

 - (iv) on the feasibility of prioritising controversial items requested by Ward Councillors to the end of the meeting. **(Motion by Councillor Palacio)**

(Community Councils; Commissioner of Urban Development Services; Mr. Angelo Grittani, City Wide Chair, Committee of Adjustment; Mr. Mitchell Kosney,

Chair, Committee of Adjustment, Toronto East York Panel
– January 8, 2004)

(Clause No. 9(j), Report No. 1)

2.19 Bill 26, Strong Communities (Planning Amendment) Act

The Planning and Transportation Committee had before it a report (December 29, 2003) from the Commissioner of Urban Development Services summarizing the Strong Communities (Planning Amendment) Act and discussing its implications on the City's planning and development process; and recommending that this report be received for information.

The Planning and Transportation Committee:

- (1) received the foregoing report; and
- (2) requested the Commissioner of Urban Development Services:
 - (i) to develop a policy position to be conveyed to the Province to develop a Provincial Policy Statement on the protection of employment lands and sites outside of designated redevelopment areas; (**Motion by Councillor Milczyn**) and
 - (ii) to prepare a comprehensive report to Council, through the Planning and Transportation Committee at its meeting scheduled to be held on February 5, 2004, addressing positions the City may wish to advocate to the Province regarding Ontario Municipal Board reform. (**Motion by Councillor Filion**)

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(k), Report No. 1)

2.20 Bill 27, The Greenbelt Protection Act

The Planning and Transportation Committee had before it a report (December 19, 2003) from the Commissioner of Urban Development Services summarizing the Greenbelt Protection Act and discussing its implications for the City and growth management in the Golden Horseshoe; advising that the Greenbelt Protection Act gives the Provincial Government breathing room for a year to determine the extent of the greenbelt it plans to establish through around the Golden Horseshoe; that it is an important piece of the overall growth management puzzle in Central Ontario; and recommending that this report be received for information.

On motion by Councillor Saundercook, the Planning and Transportation Committee received the foregoing report.

(Clause No. 9(l), Report No. 1)

2.21 New Official Plan Interpretation of Neighbourhoods

The Planning and Transportation Committee had before it a communication (January 6, 2003) from Councillor Bas Balkissoon expressing concern respecting the Neighbourhoods Designation of the City's new Official Plan and what he perceived would occur within stable planned residential sub-divisions; objecting to having commercial uses combined with residential uses as one category; bringing to the attention of the Planning and Transportation Committee the attached report (December 11, 2003) from the Acting Director of Community Planning – East, on the Scarborough Community Council Agenda wherein statements have raised his fears of how residential properties on arterial roads are under heavy threats and that existing Commercial wanting to expand onto abutting residential properties may be a non-issue under the new plan; and seeking Committee and Council's indulgence in revisiting this section of the new Official Plan to provide more adequate protection and to clearly outline the intent of Council to residential communities.

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

- (1) requested the Chair of the Planning and Transportation Committee, together with the Commissioner of Urban Development Services, to meet with representatives of the ratepayer groups involved in appeals of the new Official Plan in an attempt to resolve outstanding issues and report back to the meeting of the Planning and

Transportation Committee to be held on February 5, 2004, on the progress to date; such report to specifically address the issue of Neighbourhoods Designation of the New Official Plan outlined in the communication (January 6, 2004) from Councillor Bas Balkissoon; and

- (2) requested the Commissioner of Urban Development Services to advise the Ontario Municipal Board that these discussions are ongoing with the intent of resolving issues with the ratepayers in the hope that they do not need to be adjudicated by the Board:

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(m), Report No. 1)

2.22 Renewable Energy Rooftops in Toronto

The Planning and Transportation Committee had before it a communication (January 7, 2004) from Councillor Cliff Jenkins requesting a study by staff on the feasibility of an approach to solar and wind energy collection in residential, and other buildings – a matter which could deliver millions of dollars of benefits to the citizens of Toronto; and requesting that the study include analysis of the following aspects:

- (1) the typical current business case (whether positive or negative) for a property owner to include renewable energy generation/collection devices in new development, or redevelopment:
 - (a) for simple water heating;
 - (b) for electricity generation; and
 - (c) for electricity generation and storage;
- (2) the trends in technology – how the above business cases might evolve as the price/performance of technology advances in the next decade;
- (3) the current policies and programs of the federal and provincial government which might be utilized;
- (4) the treatment of renewable energy collection devices by the City's Official Plan and Building Codes, and what changes, if any, would be desirable or required;

- (5) the advocacy which would be required with the federal and provincial governments;
- (6) recommendations for provisions of a program for City property owners to implement renewable energy generation/collection devices for residential (and possibly commercial and industrial) development that Council might consider; and
- (7) the costs and benefits of such a program.

The Planning and Transportation Committee:

- (1) referred the foregoing communication to the Commissioner of Urban Development Services for report thereon to the Planning and Transportation Committee on those portions of the communication relating to the Planning and Transportation Committee; **(Motion by Councillor Jenkins)**
- (2) requested Councillor Jenkins to communicate with the Commissioner of Urban Development Services to determine which items listed in the following communication comes under the jurisdiction of the Works Committee; and
- (3) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee:
 - (i) on the Better Building Partnership Program which the City is a part of and on the charette which the City co-sponsored in June 2003;
 - (ii) on international initiatives such as the Battery Park City environmental design guidelines in New York; and
 - (iii) on the possible development of environmental design guidelines for new districts in the City such as the waterfront

and other secondary plan areas. **(Motions by
Councillor Milczyn)**

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(n), Report No. 1)

2.23 Section 37 Benefits – Development Charges Act

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

- (1) requested the Commissioner of Urban Development
Services to report to the Planning and
Transportation Committee on the Section 37
benefits in order for Committee to make
recommendations specific to the Provincial
Development Charges Act; and
- (2) referred the following motion to the Commissioner
of Urban Development Services with a request that
she consult thereon with the Chief Financial Officer
and Treasurer:

Moved by Councillor Stintz:

“That the Chief Financial Officer and Treasurer be
requested to report on the development levies to the
Policy and Finance Committee in order for
Committee to make recommendations specific to
the Provincial Development Charges Act.”

(Commissioner of Urban Development Services –
January 8, 2004)

(Clause No. 9(o), Report No. 1)

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The Committee adjourned its meeting at 3:50 p.m.

Chair.