

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 4

Wednesday, April 28, 2004

The Planning and Transportation Committee met on Wednesday, April 28, 2004, in Committee Room No. 1, City Hall, Toronto, commencing at 9:38 a.m.

Attendance

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

	9:38 a.m. to 12:26 p.m.	2:12 p.m. to 4:15 p.m.
Councillor Gerry Altobello, Chair	X	X
Councillor John Filion	X	X
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn, Vice- Chair	X	X
Councillor Howard Moscoe	X	X
Councillor Cesar Palacio	X	X
Councillor Bill Saundercook	X	
Councillor Karen Stintz	X	X

Confirmation of Minutes

On motion by Councillor Saundercook, the Planning and Transportation Committee confirmed the Minutes of its meeting held on February 5, 2004 and on February 16, 2004.

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

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

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- (i) (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 No. (3) (b) which directed staff to review and update the zoning for the station to facilitate its restoration and redevelopment; and recommending 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;
- (ii) (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

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- (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;
- (iii) (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;
- (iv) (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;
- (v) (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;
- (vi) (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;
- (vii) (April 19, 1004) from Save Union Station Committee advising that the group supports the recommendations of the Toronto South Community Council regarding next steps for Union Station;
- (viii) (April 28, 2004) from Mr. David Garon, Chair, Public Advisory Group on Union Station; and
- (ix) (April 28, 2004) from Mr. David Jeanes (acting) for David Garon (Chair), Union Station Advisory Group.

Mr. Angus Cranston, Senior Planner, East Section, Urban Development Services, gave a presentation to the Planning and Transportation Committee respecting the foregoing matter.

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

- Ms. Helen Riley;
- Ms. Linda Sheppard, on behalf of Save Union Station Committee; and
- Mr. David Garon and filed a written submission with respect thereto.

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

- Councillor Pam McConnell, Toronto Centre-Rosedale; and
- Councillor Michael Walker, St. Paul's.

The Planning and Transportation Committee held a statutory public hearing on April 28, 2004, in accordance with The Planning Act and appropriate notice of this meeting was given in accordance with The Planning Act and the regulations thereunder.

The Chair advised the Committee that if a person or public body that files a Notice of an Appeal of a decision of City Council in respect of the proposed zoning by-law amendment does not make oral submissions at this public meeting or make written submissions to the City Clerk before the proposed amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

The Planning and Transportation Committee:

- (I) recommended to Council the adoption of the recommendations of the Toronto South Community Council contained in the communication (April 8, 2004) from the City Clerk, subject to amending Recommendation No. (2) by adding the words "and the Planning and Transportation Committee", so that the recommendations now read as follows:
 - (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; **(Motion by Councillor Moscoe)**
 - (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 and the Planning and Transportation Committee;
(Motion by Councillor Saundercook which passed on the following recorded vote:

FOR: Moscoe; Palacio; Saundercook; Stintz;

AGAINST: Altobello; Filion; Milczyn)

- (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; and
- (II) requested the Commissioner of Urban Development Services to meet with the Independent Taxi Association and representatives of the Taxi Industry prior to Council and submit a report to Council on the integration of taxis at Union Station. **(Motions by Councillor Moscoe)**

(Commissioner of Urban Development Services; Interested Parties – April 28, 2004)

(Clause No. 1, Report No. 3)

4.2 Amendments to Municipal Code Chapter 447 Fences, and Chapter 441, Fees

The Planning and Transportation Committee had before it the following 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; and recommending 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.

The Planning and Transportation Committee held a public meeting on April 28, 2004, in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the City's web site for a minimum of four days. No one addressed the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council the adoption of the report (March 26, 2004) from the Commissioner of Urban Development Services subject to amending Part 5 contained in Appendix "A" by deleting the words "and (3)" in the opening sentence and by renumbering § (3) as § (3.1) and introducing that sub section as § 447-c.(3.1), so that Part 5 now reads as follows:

- (5) By repealing § 447-3C(2) and inserting the following:
 - (2) Where a wall of a building forms part of a swimming pool enclosure, any access point to the enclosed area in the wall shall:

- (a) be no closer than 1.2 metres horizontally to the water's edge in the pool and
 - (b) where the entrance is a door leading from a garage into the swimming pool area, be supported on substantial hinges, be self-closing and equipped with a lockable, self-latching device located not less than 1.5 metres above grade and be kept locked at all times except when the enclosed area is in use.
- (3.1) Every owner of a swimming pool shall be responsible to take all steps necessary to control any access point to the swimming pool area.

(Clause No. 2, Report No. 3)

4.3 Pedicabs in the City of Toronto

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

- (i) (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; and recommending 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
- (ii) 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;

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- (iii) communications and incident reports from various individuals respecting the use of Pedicabs in the City of Toronto;
- (iv) (April 22, 2004) from Mr. Darwin Jurado, President, Radar Vision Inc., respecting the proposed by-law amendments concerning pedicab licensing and regulating;
- (v) (April 26, 2004) from Mr. Guy Kristof, Raven Canada, in support of the the proposed by-law amendment to City of Toronto Code, Chapter 545, Licensing;
- (vi) (April 27, 2004) from Mr. Rod Sterling, President, Greater Toronto Hotel Association expressing disappointment with the proposed changes to the Municipal Code respecting pedicabs; and
- (vii) (Undated) from Mr. Joe White, Pedicab Owner forwarding comments respecting the proposed by-law amendments concerning pedicabs licensing and regulating.

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

- Mr. Darwin Jurado, Radar Vision Inc.;
- Mr. Luc Leclair, on behalf of Mr. Joe White, Kehoe Rickshaws and on behalf of Mr. Eric Hoiback, New Direction Media;
- Mr. Mark Campbell, Rickshaw Runners of Toronto;
- Mr. Michael MacGillivray; and
- Mr. Shamez Amlani.

The Planning and Transportation Committee held a public meeting on April 28, 2004, in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the City's web site for a minimum of four days.

The Planning and Transportation Committee recommended to Council:

- (I) the adoption of the report (March 15, 2004) from the Commissioner of Urban Development Services subject to amending the recommendations contained therein to read as follows:

- (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 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 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;
(Motion by Councillor Saundercook)
- (2) the Commissioner of Urban Development Services consult with the pedicab industry and Tourism Toronto and report to the Planning and Transportation Committee their recommendation for a methodology for the charging of rates for pedicab services; such methodology to include: (a) a maximum fare; (b) a requirement for a pedicab driver to provide, in writing in a form prescribed by the Commissioner of Urban Development Services, an estimate of the total fair to be charged (not per person) for the trip prior to the commencement of the trip; such fare shall not exceed the estimate by more than ten percent and the form of estimate shall be prescribed by by-law and shall include an e-mail address and a phone number for complaints;
(Motion by Councillor Moscoe)
- (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; and be inspected and approved by the Commissioner of Urban Development Services; and that the fare be agreed to in writing in a form prescribed by the Commissioner of Urban Development Services;

- (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 pass a written driver exam for an Ontario licence and be a minimum of eighteen years of age;
(Motion by Councillor Milczyn)
 - (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 excluding statutory holidays;
(Motion by Councillor Milczyn)and
 - (8) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (II) that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on an appropriate rate that passengers will be charged for using the service, such report to review the

feasibility of a maximum rate; (**Motion by Councillor Moscoe**)

- (III) that the Commissioner of Urban Development Services be requested to advise the Hotel Industry, specifically the Delta Chelsea Inn, and Tourism Toronto, of the action taken by the Committee and Council; (**Motion by Councillor Moscoe**)
- (IV) received the confidential report (April 14, 2004) from the City Solicitor, entitled "Pedicabs in the City of Toronto".

The following Motion by Councillor Stintz was **withdrawn**:

That the Planning and Transportation Committee recommend to Council:

- (1) that Recommendations Nos. (2), (3), (4), (5), (7) and (8) embodied in the report (March 15, 2004) from the Commissioner of Urban Development Services be adopted; and
- (2) that Recommendation No. (6) be amended to read as follows:
 - “(6) that an alternative method be established to demonstrate rules of the road.”

The following Motion by Councillor Moscoe was not put forward in favour of Councillor Saundercook's Motion:

That the Planning and Transportation Committee recommend to Council the adoption of the report (March 15, 2004) from the Commissioner of Urban Development Services subject to amending Recommendation No. (1) to read as follows:

- (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 commercial pedicabs for hire, to

passengers from all 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 that commercial pedicabs for hire be prohibited for use on all streets where there are street cars and mixed traffic.

(Clause No. 3 Report No. 3)

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

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

- (i) (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; and recommending 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; and
- (ii) (April 19, 2004) from Ms. Barbara Hurd, Member, Tenant Advisory Group, Municipal Issues Sub-committee respecting the proposed protocol for enforcement of property standards and other by-laws.

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

- Mr. Brad Butt, Executive Director, Greater Toronto Apartment Association, and filed a written submission with respect thereto; and
- Ms. Barbara Hurd, Kensington Bellwood Legal Services.
On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council:

- (1) the adoption of the report (April 5, 2004) from the Commissioner of Urban Development Services; subject to amending the second paragraph under the portion of Appendix "A" entitled "Access to Property Standards Notices and Orders", by adding the words "or tenants' associations", so that it now reads as follows:

"Access to Property Standards Notices and Orders

In a form that complies with the Municipal Freedom of Information and Protection of Privacy Act, a copy of a Notice or Order is to be made available to a tenant as follows:

Unit Notices and Orders -Where a Notice or Order is issued with respect to a rental unit, a copy of the Notice or Order shall be forwarded to the tenant at the same time, for their information. Upon request, a copy of the Notice or Order shall also be sent to the tenant's legal representative or agent or tenants' associations.

Common Area Notices and Orders - A copy of the Common Area Order shall be posted in a conspicuous location in the building, for the information of all tenants. Where a Notice or Order is issued with respect to the common areas of the building, a copy of the Notice or Order shall be forwarded to a tenant or their legal representative or agent, upon request.";

- (2) that Members of Toronto City Council shall be entitled to any and all copies of Notices or Orders upon request; and
- (3) that the Commissioner of Urban Development Services be requested to develop a standard maintenance request form and that this form be made available to tenants on the City's web site.

(Clause No. 4, Report No. 3)

4.5 Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation-Owned Buildings

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

- (1) (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; and recommending 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; and
- (2) (April 27, 2004) from Mr. Dennis Black, representative of 220 Oak Street Tenants Association, providing his comments with respect to this matter.

Ms. Barbara Hurd appeared before the Planning and Transportation Committee in connection with the foregoing matter.

The Planning and Transportation Committee recommended to Council:

- (1) the adoption of the report (April 5, 2004) from the Commissioner of Urban Development Services;
(Motion by Councillor Palacio)
- (2) that the same principles or protocol for enforcement of property standards and other by-laws that apply to residential rental buildings, also apply to Toronto Community Housing Corporation buildings;
(Motion by Councillor Palacio)

- (3) that any buildings owned by the Toronto Community Housing Corporation (mainly from the former MTHA) be thoroughly inspected by Urban Development Services for any:
 - (a) building code infractions;
 - (b) fire code infractions;
 - (c) housing standard infractions; and
 - (d) garbage storage and recycling practices;
(Motion by Councillor Palacio)
- (4) that Members of Council be provided with copies of notices and orders within the buildings in their wards if they so request; **(Motion by Councillor Moscoe)**
- (5) that two City-owned complexes located in Ward 17 be part of a Pilot Project; **(Motion by Councillor Palacio)**
- (6) that the Commissioner of Urban Development Services be requested to:
 - (a) provide a status report in one year on the activity levels, inspection demands and staffing requirements, resulting from the adoption of the protocol, in consultation with the residents of TCHC;
 - (b) translate the protocol into other languages consistent with the City's equity policy; and
- (7) that the Toronto Community Housing Corporation be requested:
 - (a) for one time only, distribute the protocol door to door for those buildings that don't have common areas;
 - (b) distribute the protocol to new tenants when they sign their lease;

- (c) provide the Toronto Municipal Code Property Standards by-law to all TCHC Property Managers Offices, Superintendents Offices, etc, for tenants viewing and information. **(Motions by Councillor Moscoe)**

(Clause No. 5, Report No. 3)

4.6 New Toronto Official Plan – Monitoring

The Planning and Transportation Committee had before it a 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.

Mr. William Roberts appeared before the Planning and Transportation Committee in connection with respect to the foregoing matter.

Councillor Michael Walker, St. Paul's, also appeared before the Planning and Transportation Committee with respect to the foregoing matter.

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

- (1) Whereas the Ontario Municipal Board hearing with respect to the City's Official Plan has commenced and the ratepayer representatives would like assurances that the matters settled and reflected in the Minutes of Settlement are submitted in an expeditious manner;

Therefore Be It Resolved that Council's position regarding partial settlement of the ratepayers appeals is confirmed to be exactly as stated in the executed Minutes of Settlement dated March 5, 2004; and

Be It Further Resolved that the City Solicitor be authorized to do all things necessary to give effect thereto; and

- (2) Whereas the Ontario Municipal Board hearing with respect to the City's Official Plan has commenced and there are a number of site specific referrals which will be adjudicated by the Ontario Municipal Board; and

Whereas staff are in discussions and/or will be engaging in potential settlement discussions with proponents on these site specific referrals;

Therefore Be It Resolved that the Ward Councillors be advised of any discussions on-going between staff and appellants and that staff advise the Ward Councillor at regular intervals on the progress of discussions regarding possible settlements and that any settlements be reported to the Planning and Transportation Committee for approval; and

- (3) received the report (April 6, 2004) from the Commissioner of Urban Development Services.

(Clause No. 6, Report No. 3)

4.7 Municipal Code Chapter 591, Noise, Related to Leaf Blowers

The Planning and Transportation Committee had before it a 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.

The Planning and Transportation Committee received the foregoing report.

(Clause No. 12(a), Report No. 3)

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

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

- (1) (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 advising that 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;
- (2) (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.;
- (3) (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.;
- (4) (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;
- (5) (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.; and

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- (6) Communication (April 22, 2004) from Councillor Mike Del Grande respecting the Budgetary and Staffing Implications of City Council's amendments to the revised Organization Structure for the Committee of Adjustment.

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

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

- (1) recommended to Council that:
- (i) the report (December 15, 2003) from the Commissioner of Urban Development Services be received given the action taken by City Council on April 19, 20, 21, 22, 23, 26, 27 and 28 respecting the Urban Development Services Operating Budget; and
 - (ii) Council approve the following starting times for the Committees of Adjustment meetings as recommended by the Community Councils:
 - (a) Toronto South Community Council starting at 4:00 p.m.;
 - (b) Toronto West Community Council starting time remaining at 2:00 p.m.;
 - (c) Toronto North Community Council starting time remaining at 2:00 p.m.; and
 - (d) Toronto East Community Council starting at 9:30 a.m.; and
- (2) referred the foregoing communication (April 22, 2004) from Councillor Mike Del Grande to the Chief Administrative Officer for consideration.

Councillor Altobello resumed the Chair.

(Chief Administrative Officer; c: Commissioner of Urban Development Services; Chief Planner and Executive Director; Director, Community Planning, West District – April 28, 2004)

(Clause No. 7, Report No. 3)

4.9 Safety Cameras in All Toronto Taxis

The Planning and Transportation Committee had before it the following Notice of Motion and communications:

- (1) 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;

- (2) (April 26, 2004) from Mr. Jim Bell respecting safety cameras in Toronto Taxis; and submitting his comments respecting this matter; a copy of the March 13, 2000; UDS report pertaining to this matter; a copy of By-Law No. 392-2000; and

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a copy of OSHA (Occupational Safety and Health Administration) safety fact sheet; and

- (3) (April 27, 2004) from Mr. Ernie Grzincic, General Manager, Crown Taxi, submitting comments respecting the installation of safety cameras in taxis.

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

- Mr. Jim Bell, General Manager, Diamond Taxi Cab Association;
- Mr. Peter Zahakos, General Manager, Co-op Cabs;
- Mr. Ernie Grzincic, General Manager, Crown Taxi; and
- Mr. Hakimzadah Mohammed.

The Planning and Transportation Committee:

- (1) amended the Notice of Motion by Councillor Howard Moscoe by adding thereto the following operative paragraph;

“Therefore be it further resolved that the Commissioner of Urban Development Services evaluate the safety differences between cameras and GPS (Global Positioning System) using a framework development, in consultation with the taxi industry and include a survey;” **(Motion by Councillor Stintz)**

- (2) referred the Notice of Motion, as amended, to the Commissioner of Urban Development Services for a report to the Planning and Transportation Committee for its meeting scheduled to be held on September 7, 2004; **(Motion by Councillor Moscoe)** and
- (3) requested the Commissioner of Urban Development Services, in consultation with the Taxicab Drivers, to report back to the Planning and Transportation Committee within six months, on any successes or failures on safety measures adopted by City Council on June 7, 2002, mainly:

- (a) GPS (Global Positioning System); and
- (b) Cameras and other safety measures.
(Motion by Councillor Palacio which passed on the following recorded vote:

**FOR: Altobello; Fillion; Jenkins; Moscoe;
 Palacio;**

AGAINST: Milczyn; Stintz)

The following Motion by Councillor Milczyn was **withdrawn**:

That the Planning and Transportation Committee receive the Notice of Motion by Councillor Moscoe.

The following Motion by Councillor Palacio was **withdrawn**:

That the Planning and Transportation Committee defer consideration of this matter to the next meeting of the Planning and Transportation Committee scheduled to be held on June 1, 2004, as there are three new members of City Council on the Committee and due to City Council ending so late on April 27, 2004 there was not enough time to review the agenda.

(Commissioner of Urban Development Services;
Councillor Howard Moscoe; All Interested Parties –
April 28, 2004)

(Clause No. 12(b), Report No. 3)

4.10 Review of Parking Standards for Suburban Regional Branch Banks

The Planning and Transportation Committee had before it a 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the foregoing Notice of Motion to the Commissioner of Urban Development Services for report thereon to the Planning and Transportation Committee.

(Clause No. 12(c), Report No. 3)

4.11 Response to the Request to Amend the Official Plan and Designate Highway 27 as a Higher Order Transit Corridor

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

- (i) April 22, 2004) from the Commissioner of Urban Development Services responding to the communication (April 6, 2004) from Councillor Hall requesting the Commissioner of Urban Development Services to report to the Planning and Transportation Committee on the feasibility of amending the Official Plan to designate Highway 27 as a Higher Order Transit Corridor; and recommending that:
 - (1) Highway 27 retain its designation as a Surface Transit Priority Route as identified on Map 5 of the City of Toronto Official Plan; and
 - (2) this report be forwarded to the Toronto Transit Commission and GO Transit for their information; and
- (ii) (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.

Councillor Suzan Hall appeared before the Planning and Transportation Committee in connection with the foregoing matter.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council the adoption of the foregoing report (April 22, 2004) from the Commissioner of Urban Development Services, subject to amending Recommendation No. (2) to read as follows:

- “(2) this report be forwarded to the Toronto Transit Commission with a request that the Commission refer such report to the TTC’s Planning Department for inclusion in their annual review of transit improvements”, so that the recommendations now read as follows:
 - (1) Highway 27 retain its designation as a Surface Transit Priority Route as identified

on Map 5 of the City of Toronto Official Plan; and

- (2) this report be forwarded to the Toronto Transit Commission with a request that the Commission refer such report to the TTC's Planning Department for inclusion in their annual review of transit improvements.

(Clause No. 8, Report No. 3)

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

The Planning and Transportation Committee had before it the following 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; and recommending 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council the adoption of the foregoing joint report (March 17, 2004) from the Commissioner of Urban Development Services and the City Solicitor.

(Clause No. 9, Report No. 3)

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

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

- (1) (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;

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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.”; and

- (2) (April 26, 2004) from Mr. Guy Kristof, Raven Canada, in support of the proposed by-law amendment to City of Toronto Code, Chapter 545, Licensing.

The Planning and Transportation Committee held a public meeting on April 28, 2004, in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the City's web site for a minimum of four days.

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

- Mr. John Inglis, McCartney Tetrault, on behalf of Sunnybrook Hospital; and
- Mr. Joseph Staszewski.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the foregoing communication to the Commissioner of Urban Development Services with a request that she meet with the Toronto Police Service and the City Solicitor with respect to the issue of regulating the issue of parking tickets; and submit a report thereon to the next meeting of the Planning and Transportation Committee, such report to suggest an amendment to the by-law to end this practice of issuing “lookalike” parking tickets.

(Commissioner of Urban Development Services; City Solicitor; Toronto Police Services – April 28, 2004)

(Clause No. ,12(d) Report No. 3)

4.14 Proposed Settlements of Appeals to the New Official Plan 003011

The Planning and Transportation Committee had before it a 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.

On motion by Councillor Filion, the Planning and Transportation Committee recommended to Council the adoption of the joint confidential report (April 2, 2004) from the Commissioner of Urban Development Services and the City Solicitor, respecting proposed settlements of appeals to the new Official Plan; which was forwarded to Members of Council under confidential cover; and further in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that that subject matter relates to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board.

(Clause No. 10, Report No. 3)

4.15 Appointment of Area Weed Inspectors

The Planning and Transportation Committee had before it a report (April 20, 2004) from the City Solicitor regarding a by-law to appoint area weed inspectors under the Weed Control Act; and recommending that:

- (1) the following Parks and Recreation division staff be appointed by by-law as area weed inspectors under subsection 6(1) of the *Weed Control Act* for the geographic area of the City of Toronto:

Doug Smith
Helen Sousa
Russell Warkman
Jamie Warren
Nancy Yarwood
- (2) By-law No. 308-1998, "A By-law to appoint Weed Inspectors." be repealed;
- (3) the City Clerk provide written notice to the Chief Weed Inspector as required under the *Weed Control Act*; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Planning and Transportation Committee recommended to Council the adoption of the foregoing report (April 20, 2004) from the City Solicitor.

(Clause No. 11, Report No. 3)

4.16 Establishment of Beauty School

The Planning and Transportation Committee had before it a Notice of Motion by Councillor Howard Moscoe, Seconded by Councillor John Filion stating that:

Whereas: the city of Toronto has responded well to the idea mayor's twenty minute cleanup campaign which involved large numbers of citizens in a positive pro city initiative; and

Whereas: some property owners and citizens seem unresponsive to a positive appeal; and
Whereas: sometimes, it is necessary to use other methods to encourage unmotivated citizens to care more about their environment; and

Whereas: to date the only other method of encouragement the city uses is to deploy a small army of inspectors who issue work orders; and

Whereas: because fines are often in the \$300 to \$400 range city inspectors use this as a last resort, preferring instead to nudge, rather than hammer; and

Whereas: there needs to be some other alternatives in our campaign to improve our neighbourhoods and our city; and

Whereas: City inspectors, for the most part, see their role as educative more than punitive;

Therefore Be it Resolved: that the city establish Beauty School, dedicated to educating offenders; and

Be it Further Resolved: that Property owners and litterers be offered the option of either paying a fine or attending Beauty School as an alternative on a first offence; (Like Police Services John School); and

Be it Further Resolved: that the Curriculum of Beauty School include such topics as:

- (i) How to maintain and manage your property and the adjacent public realm;

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- (ii) City bylaws that pertain to property;
- (iii) Garbage handling and collection;
- (iv) Visits to a transfer station and a landfill site;
- (v) Lectures from experienced property managers and trades people;
- (vi) Public relations and business promotion;
- (vii) Available city services; and

Be it Further Resolved: that this school be jointly operated by the bylaw enforcement, works and economic development departments; and

Be it Further Resolved: that this matter be forwarded to the CAO's office for a report to the Planning and Transportation Committee no later than July of 2004 for implementation in 2005 or sooner if possible.

The Planning and Transportation Committee referred the foregoing Notice of Motion:

- (i) to the Chief Administrative Officer for report thereon to the Planning and Transportation Committee in three months time, such report to include a total cost recovery model; **(Motion by Councillor Moscoe and by Councillor Milczyn)** and
- (ii) to the Clean Street Working Group and the Works Committee for consideration and report to the Planning and Transportation Committee in three months time. **(Motion by Councillor Palacio)**

The Committee adjourned its meeting at 4:15 p.m.

Chair.