

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting 5

Tuesday, June 1, 2004

The Planning and Transportation Committee met on Tuesday, June 1, 2004, in Committee Room 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 12:43 p.m.
Councillor Gerry Altobello, Chair	X
Councillor John Filion	X
Councillor Cliff Jenkins	X
Councillor Peter Milczyn, Vice- Chair	X
Councillor Howard Moscoe	X
Councillor Cesar Palacio	X
Councillor Bill Saundercook	X
Councillor Karen Stintz	X

Confirmation of Minutes

On motion by Councillor Moscoe, the Planning and Transportation Committee confirmed the Minutes of its meeting held on April 28, 2004.

5.1 Harmonized City-wide Private Tree By-law - All Wards

The Planning and Transportation Committee had before it a joint report (May 7, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism introducing a harmonized city-wide private tree by-law that would enable the protection of trees on private property in all neighbourhoods of the City of Toronto and identify the staff and financial resources required to implement and enforce the new by-law.

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Recommendations:

It is recommended that:

- (1) the City Solicitor be authorized to introduce a Bill for the protection of trees on private property under the *Municipal Act* substantially in the form of the attached draft by-law;
- (2) the private tree by-laws of the former cities of Toronto and Scarborough be repealed upon adoption of the new "Private Tree" By-law;
- (3) this report be forwarded to Policy and Finance Committee for its consideration of the ongoing annual Operating Budget increase of \$516,512 gross and \$178,612 net including seven additional approved positions required to support the harmonized city-wide private tree by-law;
- (4) the request for a 2005 Operating Budget increase of \$411,941 gross and \$242,991 net and a 2006 annualization increase of \$104,571 gross and decrease of \$64,379 net, be forwarded to the Budget Advisory Committee for consideration during the 2005 budget process; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Planning and Transportation Committee held a public meeting on June 1, 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.

Mr. Gord Perks, Toronto Environmental Alliance, appeared before the Planning and Transportation Committee in connection with the foregoing matter.

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

- Councillor Denzil Minnan-Wong, Don Valley East; and
- Councillor Joe Pantalone, Trinity-Spadina.

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The Planning and Transportation Committee:

- (1) referred the report (May 7, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism to the Community Councils for further public consultation and report back to the Planning and Transportation Committee for its meeting scheduled to be held on September 7, 2004; **(Motion by Councillor Jenkins)**
- (2) requested the Community Council Administrators to advise ratepayer associations when this item will be considered by the Community Councils;
- (3) reiterated the fact that the fee be waived for trees which are dead, dying or diseased or in serious decline as determined by City Arborist staff; **(Motion by Councillor Filion)**
- (4) referred the tree canopy issue to the Roundtable on a Beautiful City for consideration and report to the Planning and Transportation Committee for its meeting to be held on September 7, 2004; **(Motion by Councillor Moscoe)** and
- (5) requested the Commissioner of Urban Development Services to submit a report to the meeting of the Planning and Transportation Committee scheduled to be held on June 28, 2004 on the use of site plan control specifically for the purpose of protecting City trees on public property for unauthorized removal and that this report include a cost recovery proposal. **(Motion by Councillor Filion)**

The following Motion by Councillor Filion was voted on and **lost**:

That the Planning and Transportation Committee recommend to Council that the fee be \$25.00 for single family home owners on properties when no redevelopment is proposed; and \$200.00 for properties on which there is a proposal to redevelop the property either with high density development or a new home.

The following Motions were declared redundant:

Moved by Councillor Saundercook:

That the motion by Councillor Moscoe be amended to provide that the appropriate staff be requested to submit a report to the Planning and Transportation Committee in one year's time, on the progress as a result of the adoption of the City-wide Private Tree By-law.

Moved by Councillor Moscoe:

That the Planning and Transportation Committee recommend to the Policy and Finance Committee and Council the adoption of the report (May 7, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism.

(Toronto North Community Council; Toronto East Community Council; Toronto West Community Council; Toronto South Community Council; Roundtable on a Beautiful City; Commissioner of Urban Development Services; Commissioner of Economic Development, Culture and Tourism; Mr. Gord Perks, Toronto Environmental Alliance – June 1, 2004)

(Clause No. 9(a), Report No. 4)

5.2 Technical Amendments of Business Licensing Thresholds

The Planning and Transportation Committee had before it a report (May 13, 2004) from the Commissioner of Urban Development Services recommending a series of technical amendments that will clarify and ensure consistent implementation of the Business Licensing Thresholds.

Recommendations:

It is recommended that:

- (1) the technical amendments outlined in Schedule A, be adopted; and

- (2) the City Solicitor be directed to prepare the necessary bill to amend Chapter 545, Licensing, of the Toronto Municipal Code as required to give effect to the recommendations in this report.

The Planning and Transportation Committee held a public meeting on June 1, 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 (May 13, 2004) from the Commissioner of Urban Development Services.

(Clause No. 4, Report No. 4)

5.3 Amendments to Municipal Code Chapter 629, Property Standards

The Planning and Transportation Committee had before it a report (May 5, 2004) from the Commissioner of Urban Development Services reporting on Municipal Code Chapter 629, Property Standards and recommending technical and other amendments to the Chapter.

Recommendations:

It is recommended that:

- (1) the amendments to Chapter 629, Property Standards, substantially as outlined in Appendix A, be adopted;
- (2) Chapter 151, Buildings, Vacant, of the former City of Toronto Municipal Code be repealed; and
- (3) the City Solicitor be directed to prepare the necessary bill(s) to give effect to the Committee's decision for the consideration of Council.

The Planning and Transportation Committee also had before it a communication (May 31, 2004) from Mr. Kenneth Hale, Lawyer-Director, South Etobicoke Community Legal Services.

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

- Mr. Jack Thompson and filed a written submission with respect thereto; and
- Mr. Brad Butt, Executive Director, Greater Toronto Apartment Association.

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

- (1) recommended to Council the adoption of the report (May 5, 2004) from the Commissioner of Urban Development Services subject to the by-law being amended to require that any telephone numbers listed on signs be free of charge to the caller and must be required to be updated within one week of any of the information on the posted signage changing; and
- (2) requested the Commissioner of Urban Development Services to submit a report directly to Council for its meeting scheduled to be held on June 22, 2004, on possible amendments to the by-law that will continue to protect children from falling out of windows.

(Commissioner of Urban Development Services; Mr. Jack Thompson; Mr. Brad Butt, Executive Director, Greater Toronto Apartment Association – June 1, 2004)

(Clause No. 5, Report No. 4)

5.4 Landscaping Requirements to Prohibit Unlawful Parking

The Planning and Transportation Committee had before it a report (May 5, 2004) from the Commissioner of Urban Development Services recommending an amendment to Municipal Code Chapter 629, Property Standards, and establishing standards for landscaping in the front yard.

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Recommendations:

It is recommended that:

- (I) Municipal Code § 629-11 be amended substantially as follows by adding:
 - A.1. Despite Subsection A, the front yard of a residential property, other than a multiple-dwelling or a mixed-use building, shall be maintained as follows:
 - (1) Graded so as to prevent recurrent ponding of water and direct the surface water away from the building;
 - (2) Not used or maintained for parking purposes, except for the areas required or permitted to be used for parking under any applicable Zoning By-law or permitted to be used for parking by way of a minor variance to a Zoning By-law, or an agreement with the City;
 - (3) Landscaped, so as to prevent unstable soil conditions or erosion, with any combination of the following:
 - (a) Trees, shrubs, grass or flowers;
 - (b) Decorative stonework, walkways or screening; and
 - (c) Any other horticultural or landscape-architectural elements.
 - (4) Where paving is permitted as landscaping under the provisions of the Zoning By-law, any hardsurface paved area must be separated from adjacent driveways and walkways with a physical barrier, minimum 150 millimetres (approximately six inches) above grade; and
- (II) the City Solicitor be directed to prepare the necessary bill to give effect to the Committee's decision for the consideration of City Council.

The Planning and Transportation Committee also had before it a communication (May 25, 2004) from Councillor Mike Del Grande, Ward 39, Scarborough- Agincourt.

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

- Councillor Bas Balkissoon, Scarborough-Rouge River; and
- Councillor Mike Del Grande, Scarborough Agincourt.

On motion by Councillor Moscoe, on behalf of Councillor Balkissoon, the Planning and Transportation Committee:

- (1) recommended to Council the adoption of the report (May 5, 2004) from the Commissioner of Urban Development Services; and
- (2) requested the Commissioner of Urban Development Services to submit a report directly to Council for its meeting to be held on June 22, 2004, on an enforcement mechanism pertaining to this matter.

(Commissioner of Urban Development Services – June 1, 2004)

(Clause No. 1, Report No. 4)

5.5 Graffiti Transformation Grants Program: 2004 Recommendations

The Planning and Transportation Committee had before it a report (April 28, 2004) from the Commissioner of Urban Development Services recommending grants to nineteen organizations for the removal of graffiti and the transformation of vandalized surfaces into murals.

Recommendations:

It is recommended that:

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

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The Planning and Transportation Committee:

- (I) recommended to Council:
 - (1) the adoption of the report (April 28, 2004) from the Commissioner of Urban Development Services; **(Motion by Councillor Moscoe)** and
 - (2) that a copy of this report be forwarded to the Roundtable on a Beautiful City with a request that the Roundtable review the program and consider how it can be extended to:
 - (a) use the funding creatively to leverage more money and activity;
 - (b) build incentives into the program to encourage financial participation by BIA's and other groups;
 - (c) fund sources of sponsorship from comparable private sector companies; and
 - (d) review possible sources of income with a view to putting the program on a sustainable funding basis; **(Motion by Councillor Moscoe)** and
- (II) requested the Commissioner of Urban Development Services to submit a report directly to Council for its meeting on June 22, 2004, on the feasibility of expanding the current program within this years budget to include other appropriate organizations. **(Motion by Councillor Saundercook)**

(Commissioner of Urban Development Services – June 1, 2004)

(Clause No. 2, Report No. 4)

5.6 1998 and 2001 APTA (American Public Transportation Association) Rail Safety Audits – Updates

The Planning and Transportation Committee had before it a communication (May 13, 2004) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, May 12, 2004, the Commission considered the attached report entitled, “1998 and 2001 APTA Rail Safety Audits – Updates”; that the Commission adopted the Recommendation contained in the report, as listed below:

Recommendations:

“It is recommended that the Commission:

- (i) receive for information, the sixth update of the TTC management Actions for the 1998 APTA Rail Safety Audit and the fourth update of the TTC management Actions for the 2001 APTA Rail Safety Audit; and
- (ii) forward this update to the Minister of Transportation, Province of Ontario and the Clerk of the City of Toronto for information;

and advising that the foregoing is forwarded to Toronto City Council, through the City Planning and Transportation Committee, for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council that Council receive the communication (May 13, 2004) from the General Secretary, Toronto Transit Commission.

(Clause No. 8, Report No. 4)

5.7 Signage to Make Ambassador Taxicabs More Easily Identifiable to the Public

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

- (1) (May 7, 2004) from Councillor Howard Moscoe to the Chair of the Planning and Transportation Committee attaching a communication (May 6, 2004) from the President, Taxicab Benefits Association requesting the Planning and Transportation Committee to give serious consideration to the recommendation that all Ambassador Taxicabs have an “A” affixed to the front and back of their respective roof lights to allow the public to readily identify them as such;

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- (2) (May 27, 2004) from Mr. Mitch Grossman, President, Royal Taxi Inc., advising that he disagrees strongly with the recommendation that all Ambassador licensed taxicabs have an "A" affixed to the front and back of their respective roof lights to allow the public to readily identify them as such; and forwarding recommendations pertaining thereto should the Planning and Transportation Committee decide the suggestion has merit;
- (3) (May 25, 2004) from Mr. Jim Bell, General Manager, Diamond Taxicab Association advising that Diamond Taxicab Association disagrees strongly that all Ambassador licensed taxicabs have an "A" affixed to the front and back of their respective roof lights; and forwarding recommendations pertaining thereto should the Planning and Transportation Committee decide the suggestion has merit;
- (4) (May 31, 2004) from Mr. Peter Zahakos, General Manager, Co-op Cabs, advising that Co-op Cabs, disagrees strongly that all Ambassador licensed taxicabs having an "A" affixed to the front and back of their respective roof lights; and forwarding recommendations pertaining thereto should the Planning and Transportation Committee decide the suggestion has merit; and
- (5) (Undated) from Mr. Larry Labovitch, President, Kingsboro Taxi Limited, writing in opposition to the idea of signage to make Ambassador Taxicabs more easily identifiable to the public.

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

- Ms. Catherine Sokoloff;
- Mr. Andrew Whiteley on behalf of Ms. Gail Beck Souter, Beck Taxi Limited;
- Mr. E. Meikle; and
- Mr. Martin Ceh-Seremet.

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

- (1) concurred, in principle, with the idea that Ambassador Taxicabs could be better identified from a distance; and

- (2) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee on how Ambassador Taxicabs can be better identified without defacing the roof signs.

(Commissioner of Urban Development Services; Ms. Catherine Sokoloff; Mr. Andrew Whiteley, Beck Taxi Limited; Mr. E. Meikle; Mr. Martin Ceh-Seremet – June 1, 2004)

(Clause No. 9(b), Report No. 4)

5.8 Proposed Settlements of Appeals to the New Official Plan (003011)

The Planning and Transportation Committee had before it a confidential report (May 7, 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 Moscoe, the Planning and Transportation Committee recommended to Council the adoption of the confidential report (May 7, 2004) from the Commissioner of Urban Development Services and the City Solicitor regarding proposed settlements of appeals to the new Official Plan, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

(Clause No. 6, Report No. 4)

5.9 Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences

The Planning and Transportation Committee had before it a report (May 7, 2004) from the Commissioner of Urban Development Services advising that the purpose of this report is to: (1) respond to Council's request to review fees; (2) establish business licensing fees in accordance with the cost-recovery requirements set out in the Municipal Act, 2001; (3) create new licence types for traditional medicine establishments and practitioners; (4) level business licence renewal volumes throughout the year by amending licence renewal dates; (5) establish requirements for obtaining and using endorsements on a licence; (6) establish fees and corresponding policies for late renewals; (7) amend current regulations pertaining to application and renewal holding times, as well as refunds; and (8) request approval for 10 additional Municipal Licensing Officers in 2005 with an offsetting increase in license fees.

Recommendations:

It is recommended that:

- (1) the fees for business licences be adopted as detailed in Schedule B, effective for all 2005 renewals as well as applications, as of July 1, 2004; and that Appendix B to Chapter 545, Licensing, of the Toronto Municipal Code be amended accordingly;
- (2) a fee of \$54, be adopted for the amendment of a licence at any time other than that of renewal, effective July 1, 2004;
- (3) Business licence renewal dates be amended for each licence to the anniversary date of the issuance of the licence, effective no earlier than July 1, 2004, and immediately after the current date of renewal for the licence in question;
- (4) year 2005 business licence renewal fees for each licence be charged on a pro-rated basis for the period from the current renewal date to the first new renewal date, effective July 1, 2004;
- (5) the validity of endorsement be subject to the activity they endorse being carried out by the business, and failure to do so result in a cancellation of said endorsement and the incurring of the licence amendment fee;
- (6) a fee be charged on all late renewals of business licences, as per Schedule E, and failure to pay within 90 days result in an automatic cancellation of the licence, effective January 1, 2005;

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- (7) Licensing fees be collected and recognized for revenue purposes as detailed in Schedule F, effective January 1, 2005;
- (8) separate licence types be established for certified acupuncturists and traditional Chinese medicine establishments and practitioners who meet the corresponding licensing requirements as set out in Schedule C, effective July 1, 2004;
- (9) unearned license revenue pertaining to the new policy on collection and recognition of revenue be recognized on July 1, 2004, as outlined in Schedule F;
- (10) Council consider implementing the new holistic centre licence fees immediately;
- (11) approval for the hiring of ten new full-time enforcement officers effective January 1, 2005, to address enforcement pressure and service demands that divert resources from general enforcement, and that the 2005 Operating Budget submission of Urban Development reflect this;
- (12) the City Solicitor be directed to prepare the necessary bill to amend Chapter 545, Licensing, of the Toronto Municipal Code as required to give effect to the recommendations in this report, as outlined above;
- (13) the 2005 Operating Budget submission of Urban Development Services reflect the impact contained in the financial impact statement;
- (14) the Commissioner, Urban Development Services, report back through the 2006 Budget Process on the ability of the fee changes to cover actual expenditures in 2005, prior to recommending any additional fee changes within Municipal Licensing and Standards;
- (15) the Commissioner, Urban Development Services, report back through the 2006 Budget Process on the results of levelling the volume of license renewals and its impact on front-line resources; and
- (16) the Commissioner, Urban Development Services, in consultation with the Chief Financial Officer and Treasurer, report back during 2004 on options to stabilize revenue, stemming from the levelling of license application volumes.

The Planning and Transportation Committee held a public meeting on June 1, 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:

- (1) recommended to the Policy and Finance Committee that City Council adopt the report (May 7, 2004) from the Commissioner of Urban Development Services, and the option for a two year phase-in contained in the aforementioned report; and
- (2) requested the Commissioner of Urban Development Services to report to the Planning and Transportation Committee on any additional costs of enforcement related to retailers if the bylaw were amended to require retailers who sell pesticides or herbicides that are banned by the City to sell them from shelves bearing a warning label.

(Policy and Finance Committee; Commissioner of Urban Development Services – June 1, 2004)

(Clause No. 9(c), Report No. 4)

5.10 Harmonized Demolition Approvals Process

The Planning and Transportation Committee had before it a report (May 25, 2004) from the Commissioner of Urban Development Services responding to Council's request that the Commissioner of Urban Development Services report to the Planning and Transportation Committee on a harmonized demolition approval process; addressing the issues of "beautification" of demolition sites and the Toronto Public Health review of demolition applications for potential environmental issues, two areas where the process for demolition approval is not harmonized City-wide; and advising that the report does not address the issue of demolition control under Section 33 of the Planning Act, where Council is permitted to designate an area where a person must receive Council approval to demolish a residential building of a particular size; and also does not address the harmonized review of permits to demolish buildings with heritage significance.

Recommendations:

It is recommended that:

- (1) Council request that the Province enact special legislation that would extend the provisions of Section 2 of the City of Toronto Act, 1991, respecting demolition, city wide;
- (2) the Building Permit By-law (By-law No.163-1998) be amended to introduce a new class of demolition permit, and the appropriate fee, effective July 5, 2004, for demolitions with potential environmental risks that will be reviewed by Toronto Public Health. Two full time staff, dedicated to the review of demolition permit applications be reinstated, the City portion to be funded by revenues received from the new class of demolition permit fees;
- (3) the City Solicitor be authorized to prepare the necessary changes to the Building Permit By-law and Bills for Council and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (4) funds in the amount of \$70,000 in 2004, \$140,000 full-year impact, be added to the gross expenditures of Public Health, to be offset by 50 percent recovery from the Province and 50 percent recovery from a new Building revenue in Urban Development Services.

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

- (1) recommended to the Policy and Finance Committee that City Council adopt Recommendations (2) to (4) contained in the report (May 25, 2004) from the Commissioner of Urban Development Services; and
- (2) referred Recommendation (1) contained in the report (May 25, 2004) from the Commissioner of Urban Development Services, back to the Commissioner of Urban Development Services for further consideration and consultation with members of the Roundtable on a Beautiful City.

(Policy and Finance Committee; Commissioner of Urban Development Services – June 1, 2004)

(Clause No. 9(d), Report No. 4)

**5.11 Response to the Province's Residential Tenancy Reform
Consultation Paper - Rental Conversion and Demolition Legislation**

The Planning and Transportation Committee had before it a report (May 25, 2004) from the Commissioner of Urban Development Services reporting on a range of options outlined in the Province's Consultation Paper on Residential Tenancy Reform, and recommending preferred legislative changes for the City of Toronto, specifically dealing with the protection of rental housing from conversion and demolition.

Recommendations:

It is recommended that:

- (1) the City of Toronto's response to the provincial Residential Tenancy Reform Consultation Paper as contained in this report be adopted as Council's position on proposed legislation for the demolition and conversion of rental housing, and forwarded to the Minister of Municipal Affairs and Housing;
- (2) the following specific recommendations for provincial action to assist the City of Toronto to protect rental housing from demolition and conversion be approved:
 - (a) the Province of Ontario enact a temporary freeze on rental housing conversions in the City of Toronto, protecting all rental properties except those approved for conversion by City Council under its Official Plan policies, until it decides on a permanent legislative solution; and
 - (b) the Province bring forward permanent legislation providing interested municipalities the statutory power to control the conversion and demolition of rental properties, until such time that the rental housing market has returned to a healthy state based on the criteria below. Municipalities who choose not to use the legislation retain access to the existing legal and planning approval framework governing the demolition and conversion of rental housing.

The new legislative framework for the municipal approval process should:

- (1) Establish that municipalities have the statutory power to reject proposals that would cause the loss of rental units through conversion to condominium or other uses, demolition, or severance until:

- (a) the overall vacancy rate has been above 3.0 percent for the preceding three years (as reported in the last four consecutive annual CMHC rental market surveys); and
- (b) in the opinion of the Municipal Council, the rental market has returned to a healthy state, following review and consideration of the following criteria:
 - (i) changes in the vacancy rate of the affordable rental stock for the preceding three years;
 - (ii) gains/losses in the stock of purpose-built rental housing over the past five years;
 - (iii) gains in the production of purpose-built rental housing; and
 - (iv) forecasted changes in conditions relating to the rental housing market, including rental demand.

(In addition to the above criteria, the municipality may identify other criteria specific to the local area that should be evaluated as part of the review. The data sources for the review should rely primarily on published reports and data supplied by CMHC); and

- (c) after completing the review in (b), if a municipality determines that the overall rental market has reached a healthy state but that specific rental sub-markets such as affordable rental units have not, the approval process may be retained for those applications which contain a majority of rental units in the affected sub-market. Sub-markets may include:

- (i) rental units below the affordable rent limits as established in the Official Plan of the municipality; and
 - (ii) certain unit types such as those suitable for families, or housing intended for vulnerable populations such as seniors and students.
- (2) in the event that the Municipal Council decide to approve a proposal that may result in the loss of rental units, the Council may require as a condition of approval:
 - (a) replacement of the same number of rental units, size and type at similar rents; and
 - (b) a tenant relocation and assistance plan to lessen the hardship of the affected tenants.
- (3) Clarify that the legislation not apply to:
 - (a) properties with fewer than six rental units;
 - (b) properties with high-end rental units (where virtually all of the units are above 1.5 times the CMHC average by unit type);
 - (c) rented units in registered condominium properties;
 - (d) properties ordered to be demolished by the municipality due to unsafe/unsound conditions; and
 - (e) properties where the rented residential use is not permitted by the municipality.
- (4) the appropriate City officials be authorized and directed to take the necessary action to assist the Province, to give effect thereto; and

- (5) the Commissioner of Urban Development Services be authorized to forward this report directly to the Ministry of Municipal Affairs and Housing by the June 15 deadline for submissions, noting that it is subject to final approval by City Council who will be considering the matter at their June 22 meeting.

Mr. Brad Butt, Executive Director, Greater Toronto Apartment Association, appeared before the Planning and Transportation Committee in connection with the foregoing matter.

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

- (1) recommended to Council the adoption of Recommendations (1) to (3) contained in the report (May 25, 2004) from the Commissioner of Urban Development Services; and
- (2) concurred with Recommendation No. (4) contained in the report (May 25, 2004) from the Commissioner of Urban Development Services, authorizing the Commissioner to forward this report directly to the Ministry of Municipal Affairs and Housing by the June 15 deadline for submissions, noting that it is subject to final approval by City Council who will be considering the matter at their June 22 meeting.

(Commissioner of Urban Development Services – June 1, 2004)

(Clause No. 3, Report No. 4)

5.12 Nomination of Citizen Members to the Task Force to Bring Back the Don for the 2003-2005 Term of City Council

The Planning and Transportation Committee had before it a confidential report (May 19, 2005) from the Commissioner of Urban Development Services respecting Nomination of Citizen Members to the Task Force to Bring Back the Don for the 2003-2005 term of City Council, such report to be considered in-camera having regard that the subject

matter contains personal matters about identifiable individuals, including municipal or local board employees.

On motion by Councillor Saundercook, the Planning and Transportation Committee recommended to Council the adoption of the confidential report (May 19, 2005) from the Commissioner of Urban Development Services respecting Nomination of Citizen Members to the Task Force to Bring Back the Don for the 2003-2005 term of City Council, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter contains personal matters about identifiable individuals, including municipal or local board employees.

(Clause No. 7, Report No. 4)

5.13 Licensing Issues with Respect to Holistic Centres

The Planning and Transportation Committee requested the Commissioner of Urban Development Services to submit a report:

- (a) in consultation, as necessary, with the City Solicitor and the Toronto Police Service, to the October 4, 2004 meeting of the Planning and Transportation Committee on the following:
 - (i) amending Chapter 545, Licensing, of the Toronto Municipal Code to change the closing time for Holistic Centres from 10:00 p.m. to 6:00 p.m.; **(Motion by Councillor Milczyn)**
 - (ii) limiting the number of Licenses issued with respect to Holistic Centres; and
 - (iii) prohibiting or regulating the message or content of advertising associated with Holistic Centres; **(Motion by Councillor Stintz, on behalf of Councillor Grimes)** and
- (b) to the Planning and Transportation Committee, at a later date, on the following:
 - (i) defining the areas of the City in which Holistic Centres may or may not operate;

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- (ii) establishing an examining board to test the knowledge of applicants for a Holistic Practitioners License with respect to their particular health modality; and
- (iii) developing an enhanced enforcement strategy for Holistic Centres.

The Committee adjourned its meeting at 1:45 p.m.

Chair.