

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting 8

Monday, October 4, 2004

The Planning and Transportation Committee met on Monday, October 4, 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 12:02 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

On motion by Councillor Palacio, the Planning and Transportation Committee confirmed the Minutes of its meeting held on September 7, 2004.

8.1 Comprehensive By-law Compliance Programme

The Planning and Transportation Committee considered the following report and communication:

- (1) (September 3, 2004) from the Commissioner of Urban Development Services summarizing the progress of the Comprehensive By-law Compliance Programme and seeking approval for the next stage of work.

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Recommendations:

It is recommended that:

- (1) the Comprehensive By-law Compliance Programme, as outlined in Schedule A, be adopted in principle;
 - (2) the development of an implementation model, as outlined in Schedule B and subject to final approval by Council, be approved, subject to Recommendation(3);
 - (3) funds totalling \$80,000 in both 2005 and 2006 for basic and advanced training, respectively, for all investigative staff be considered through the 2005 budget process, and that this report be forwarded to the Budget Advisory Committee budget meetings;
 - (4) the Commissioner, Urban Development Services, report to the Planning and Transportation Committee, after the first phase of full-scale implementation, on the effectiveness of the programme; and
 - (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (2) (June 28, 2004) from the City Clerk advising that City Council on June 22, 23 and 24, 2004, referred Item (j) entitled "Establishment of a Beauty School" to the Planning and Transportation Committee for further consideration.

Councillor Frances Nunziata, York South Weston, appeared before the Planning and Transportation Committee.

The Planning and Transportation Committee recommended that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (September 3, 2004) from the Commissioner of Urban Development Services; **(Motion by Councillor Milczyn)** and

in the event a complaint originates from a Councillor's office or proceeds through a Councillor's office, the respective Councillor shall be consulted prior to Phase 2 or Phase 4 of the programme. **(Motion by Councillor Moscoe)**

(Report 7, Clause 3)

**8.2 Amendment to Municipal Code Chapter 313
Streets and Sidewalks, to Require the Provision
of Ashtrays within Licensed Boulevard Café Areas**

The Planning and Transportation Committee considered a report (September 8, 2004) from the Commissioner of Urban Development Services to amend former City of Toronto Municipal Code Chapter 313, Street and Sidewalks, to require the provision of ashtrays within licensed boulevard areas.

Recommendation:

It is recommended that former City of Toronto Municipal Code Chapter 313, Section 313-36 be amended to require that ashtrays be provided within licensed boulevard café areas for the use of patrons who choose to smoke.

Councillor Frances Nunziata, York South Weston, appeared before the Planning and Transportation Committee.

The Planning and Transportation Committee recommended that City Council:

- (1) adopt the following resolution:

Whereas the City's objective in requiring the placement of ashtrays in patios is to encourage a Clean and Beautiful City and that cigarette ashes and butts are to be properly disposed of, and not left to litter the sidewalk and the City's public spaces;

Therefore, be it resolved that Council receive the staff recommendation in the report (September 8, 2004) from the Commissioner of Urban Development Services; and instead adopt the following:

“It is recommended that as a condition in obtaining a café license, the property owner is responsible for sweeping and clearing the sidewalk in front of their premises, including the patio area, to ensure that it is clear of all debris including cigarette butts and this is to be done at least on a daily basis.”; **(Motion by Councillor Jenkins)** and

- (2) request the Commissioner of Urban Development Services to report to the Planning and Transportation Committee on whether similar conditions can be placed on all licensed premises. **(Motion by Councillor Filion)**

(Report 7, Clause 4)

8.3 Civic Improvement Program and its Relationship to the City Beautification Initiative

The Planning and Transportation Committee considered a report (September 16, 2004) from the Commissioner of Urban Development Services outlining the policy framework upon which the Civic Improvement Program is based and describing how this program can support the city’s broader beautification objectives.

Recommendations:

It is recommended that Council:

- (1) endorse the Civic Improvement Program as a means of improving the quality of the City’s public realm and base the selection of civic improvement projects for inclusion in the Urban Development Services capital budget (subject to on-going annual reviews of the five-year program priorities) according to the following criteria:
 - (a) support the efforts of the Roundtable on a Beautiful City;
 - (b) implement the built-form policies of the Official Plan and contribute to the Plan’s “Great City Campaigns”;
 - (c) support related local planning initiatives and the beautification efforts of other City Departments and agencies;

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- (d) advance the objectives of creating a safer and more environmentally sustainable City;
 - (e) realize partnering opportunities between the City and the private sector for funding and construction;
 - (f) engage the public and community in the development and implementation of the project;
 - (g) facilitate the co-ordination of inter-departmental/agency capital works programs.
- (2) affirm the important contribution an expanded Civic Improvement Program can make to the overall attainment of the City's beautification objectives through the enhancement of the City's public realm (as defined by its system of streets, parks, squares, open spaces, public buildings and facilities); and
- (3) forward this report to the Budget Advisory Committee in support of the Urban Development Services Department's 2005 Budget Submission with respect to funding and staffing resources for the Civic Improvement Program.

The Planning and Transportation Committee recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (September 16, 2004) from the Commissioner of Urban Development Services; and
- (2) request the Commissioner of Urban Development Services:
 - (i) in co-operation with Arts and Culture, to submit a report to the Planning and Transportation Committee on adding arts districts as a separate category;
 - (ii) to canvas Members of Council to determine whether there are other possible civic improvement areas within their wards;

- (iii) to bring forward a “percent for art policy” to the Planning and Transportation Committee within the next three months; and
- (iv) to add the following to the map:
 - (a) a design district centred on Caledonia Road and Castlefield Road;
 - (b) a discount district centred on Orfus Road;
 - (c) a possible arts district on Oakwood Avenue and Rogers Road;
 - (d) an arts district centred in Junction BIA on Dundas Street West; and
 - (e) an arts district centred in the St. Clair Avenue area be established including the St. Clair Gardens BIA, Corso Italia BIA, St. Clair West BIA, where the exclusive right-of-way was adopted by City Council; and
- (v) to consider requests for Section 37 contributions with objects included in this proposal. (**Motions by Councillor Moscoe and Councillor Palacio**)

(Report 7, Clause 1)

8.4 Information Report – 2004 Renovation Forums

The Planning and Transportation Committee considered a report (September 21, 2004) from the Commissioner of Urban Development Services reporting the results of the City of Toronto’s 2004 Renovation Forums coordinated by the Building Division of Urban Development Services.

Recommendation:

It is recommended that this report be received for information.

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

- (1) received the report (September 21, 2004) from the Commissioner of Urban Development Services; and
- (2) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee on the feasibility of developing a Renovation Trade Show which would operate on a “for profit basis” and include, in addition to the features at the renovation forums, a significant private sector component.

(Commissioner of Urban Development Services; Chief Building Official and Executive Director; Director and Deputy Chief Building Official – October 4, 2004)

(Report 7, Clause 5(a))

**8.5 Bus-Only Lanes (Bus Rapid Transit)
Downsview Subway Station to York University**

The Planning and Transportation Committee considered the following communications:

- (1) (July 29, 2004) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission at its meeting on Wednesday, July 14, 2004, considered the attached report entitled, “Bus-Only Lanes (Bus Rapid Transit) Downsview Subway Station to York University.”

The Commission approved the Recommendation contained in the report, as listed below:

“It is recommended that the Commission:

- (1) approve the conceptual design for bus-only lanes from Downsview Subway Station to York University, via Allen Road-Dufferin Street and the hydro corridor north of Finch Avenue, as described in this report;

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- (2) note that staff will issue a contract change to the design for the Downsview Commuter Parking Lot project, following the authorization for expenditures policy, to avoid construction in the area immediately south of the bus terminal that is now proposed to be used for a new signalised bus driveway onto Allen Road;
- (3) approve a further allocation of \$200,000 for completion of a more-detailed evaluation of the property requirements within the hydro right-of-way, and at the Sheppard/Allen intersection;
- (4) request Toronto City Council to approve the recommended design for bus-only lanes and authorize staff to submit the associated more-detailed Environmental Study Report to the Ministry of Environment, requesting their approval of this project; and
- (5) forward this report to Councillors Peter Li Preti, Michael Feldman, and Maria Augimeri for information.”

The Commission also approved the following ancillary motions:

- (1) that staff meet with Alan Heisey and the local area Councillor to discuss the options that he has raised and report to the Commission meeting on September 10, 2004.
- (2) that the Commission request York University to respond to the Commission by its meeting on September 10, 2004 with approval in principle for the use of their lands; and that the Commission’s support for that portion of the design be conditional on that approval in principle.
- (3) that the Capital Program include a landscape plan to soften the impact of the emergency subway exit on the Northeast corner of the Sheppard Avenue and Allen Road intersection; and

forwarded the aforementioned to the City of Toronto Council through the Works Committee and the Planning and Transportation Committee for consideration of the Commission’s request to approve the recommended design for bus-only lanes from Downsview Subway Station to York University, as detailed in the report; and

- (2) (September 23, 2004) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission at its meeting on Wednesday, September 22, 2004, considered the attached report entitled, “Bus-Only Lanes (Bus Rapid Transit) Downsview Subway Station to York University: Update”; that the

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Commission also received a deputation from Dr. Ted Spence, York University concerning this matter and after hearing the deputation, the Commission approved the Recommendation contained in the report, as listed below:

“It is recommended that the Commission:

- (1) approve the revised conceptual design described here for the Sheppard/Allen intersection component of the Bus-only Lanes – Downsview Subway Station to York University project, noting that the revised design addresses the urban design concerns raised by Mr. Gerrit de Boer and the Commission, and that the design has been reviewed and agreed-upon by staff of City Planning, City Transportation, and the TTC;
- (2) forward this report to Toronto City Council for their consideration together with the previously-approved July 14, 2004 staff report on this subject; and
- (3) forward this report to Councillors Peter Li Preti, Michael Feldman, Maria Augimeri, and Mr. Gerrit de Boer for information.”

The Commission also approved the following ancillary motions:

- (1) that staff continue to consult with York University on the new alternative brought forward as part their deputation.
- (2) that staff be requested to review the feasibility of adding a northbound crossover right-turn lane to the subject intersection for cars in order to reduce conflicts with northbound buses; and

forwarded the aforementioned to Toronto City Council through the Planning and Transportation Committee and Works Committee for consideration in conjunction with the previously approved staff report (dated July 14, 2004) concerning this matter, which was sent to your attention on July 29, 2004.

Dr. Ted Spence, Special Advisor, Office of the President, York University, appeared before the Planning and Transportation Committee and filed a copy of his presentation.

The Planning and Transportation Committee recommended to the Works Committee and Council that:

- (1) Council adopt in principle, the recommendations in the Recommendations Sections of the communications (July 29, 2004) and (September 23, 2004) from the General Secretary, Toronto Transit Commission; **(Motion by Councillor Moscoe)**
- (2) the exclusive right-of-way for bus only lanes, also be made available to emergency vehicles; **(Motion by Councillor Palacio)** and
- (3) the Toronto Transit Commission be requested to report further on any refinements to the proposal as it pertains to the west end of the route. **(Motion by Councillor Moscoe)**

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

That York University be considered an equal partner when dealing with the route that is to be selected on the York University Property.

(Works Committee; Commissioner of Urban Development Services; Commissioner of Works and Emergency Services; General Secretary, Toronto Transit Commission – October 4, 2004)

(Report 7, Clause 5(b))

8.6 Enforcement of Property Standards in Toronto Community Housing Corporation Owned Buildings (All Wards)

The Planning and Transportation Committee considered the following report and communications:

- (1) (September 20, 2004) from the Commissioner of Urban Development Services advising Council on the staffing and budgetary implications of conducting building audits within Toronto Community Housing Corporation-owned buildings.

Recommendations:

It is recommended that:

- (1) staff not proceed with building audits within Toronto Community Housing Corporation properties, but to continue to respond to complaints from residents and to enforce the protocol as required;
 - (2) staff continue to liaise with the Toronto Community Housing Corporation regarding the results of their proactive maintenance strategy; and
 - (3) City Council request that the Province address the issues related to the need for maintenance funds in the housing stock previously managed by the Province; and
- (2) (July 26, 2004) from Mr. Nick Volk, Chair (Acting), Toronto Community Housing Corporation (THCH) Board of Directors; and
 - (3) (August 26, 2004) from Ms. Allison Godfrey, MFIPPA Co-ordinator, Toronto Community Housing.

Ms. Jenny Gonsalves appeared before the Planning and Transportation Committee.

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

On motion by Councillor Altobello, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 20, 2004) from the Commissioner of Urban Development Services; and notwithstanding Recommendation(1) in the aforementioned report, the Commissioner of Urban Development Services be requested to complete audits identified in Ward 17 to ensure the completion of those audits.

Councillor Altobello resumed the Chair.

(Report 7, Clause 2)

8.7 Development Charges for “Big Box” and Other Retail Uses

The Planning and Transportation Committee considered a communication (June 29, 2004) from the City Clerk advising that City Council on June 22, 23 and 24, 2004, considered Clause 1, Report 5 of the Policy and Finance Committee entitled “Development Charge By-law” and in doing so referred the supplementary report (June 18, 2004) from the Chief Financial Officer and Treasurer, the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, entitled “Development Charges for “Big Box” and other Retail Uses”, to the Planning and Transportation Committee for consideration.

On motion by Councillor Filion, the Planning and Transportation Committee received the communication (June 29, 2004) from the City Clerk.

(Report 7, Clause 5(c))

8.8 Profile Toronto: Perspectives on Household Income

The Planning and Transportation Committee considered a report (September 17, 2004) from the Commissioner of Urban Development Services introducing a “Profile Toronto” bulletin which provides detailed information regarding the changes to household income that have occurred in Toronto and its surrounding communities over the past 20 years (using information from the Census of Canada).

Recommendation:

It is recommended that the Planning and Transportation Committee receive this report for information.

The Planning and Transportation Committee received the report (September 17, 2004) from the Commissioner of Urban Development Services.

(Report 7, Clause 5(d))

8.9 Feasibility of Establishing Additional First Appearance Facilities for Parking Ticket Payments and Disputes

The Planning and Transportation Committee considered a report (September 21, 2004) from the Chief Financial Officer and Treasurer responding to a request by City Council for information on the feasibility of establishing additional First Appearance Facilities for the City's Parking Tag operation; advising that First Appearance Facilities are used by the public to dispute parking tags, make fine payments and/or request trials on parking matters.

Recommendations:

It is recommended that:

- (1) funding (\$70,000 one-time start up cost and \$198,000 annual operating costs) to establish an additional parking tag First Appearance Facility in the Etobicoke Civic Centre, combined with the current tax and water counter, be included as an Enhanced Service Change request in the Finance Department's 2005 Operating Budget Estimates; and
- (2) this report be forwarded to the Administration Committee for its review and 2005 Budget consideration.

On motion by Councillor Saundercook, the Planning and Transportation Committee forwarded the report (September 21, 2004) from the Chief Financial Officer and Treasurer to the Administration Committee for consideration.

(Administration Committee – October 4, 2004)

(Report 7, Clause 5(e))

8.10 Recommendation for an Automated Pawn Reporting System

The Planning and Transportation Committee considered a report (August 31, 2004) from the Chair, Toronto Police Services Board recommending that automated pawn reporting be mandatory in the City of Toronto and, if implemented, this would require an amendment to the City of Toronto Municipal Code, Chapter 545 – Licensing.

Recommendations:

It is recommended that:

- (1) the Planning and Transportation Committee amend the Municipal Code, Chapter 545 – Licensing, so that automated pawn reporting is mandatory in the City of Toronto; and
- (2) the Planning and Transportation Committee forward this report to Toronto City Council for approval.

The following persons appeared before the Planning and Transportation Committee:

- Staff Inspector Robert Qualtrough, Toronto Police Services; and
- Mr. Desmond Shutka, Toronto Police Services.

The following Members of Council also appeared before the Planning and Transportation Committee:

- Councillor Adam Giambrone, Davenport; and
- Councillor Frances Nunziata, York South Weston.

On motion by Councillor Filion, the Planning and Transportation Committee referred the report (August 31, 2004) from the Chair, Toronto Police Services Board, to the Commissioner of Urban Development Services for report thereon to the Planning and Transportation Committee.

(Commissioner of Urban Development Services; Chair,
Toronto Police Services – October 4, 2004)

(Report 7, Clause 5(f))

8.11 Review of Consolidation of By-Laws Affecting Parking Enforcement on Private Property

The Planning and Transportation Committee considered a report (August 31, 2004) from the Chair, Toronto Police Services Board providing the results of a review conducted by the Toronto Police Service on the effectiveness of program enhancements and the consolidation of by-laws related to parking enforcement on private property.

Recommendation:

It is recommended that:

- (1) the Planning and Transportation Committee amend the current by-law to enable Municipal Law Enforcement Officers ("MLEO's") to tow un-plated vehicles; and
- (2) that the Planning and Transportation Committee amend the licensing by-law governing look-alike tickets, invoices and demand notices to require MLEO certification for any person issuing documents related to private parking.

On motion by Councillor Saundercook, the Planning and Transportation Committee referred the report (August 31, 2004) from the Chair, Toronto Police Services Board, to the Commissioner of Urban Development Services for report thereon to the Planning and Transportation Committee.

(Commissioner of Urban Development Services; Chair,
Toronto Police Services Board – October 4, 2004)

(Report 7, Clause 5(g))

8.12 Review of existing Municipal Code Noise By-law

The Planning and Transportation Committee approved the following resolution:

Moved by: Councillor Stintz

That WHEREAS the Municipal Code Noise By-law was adopted by City Council on February 7, 2003; and

WHEREAS the Municipal Code Noise By-law outlines the rules and regulations for the creation of noise by individuals and businesses in the City of Toronto and gives authority to the City of Toronto to uphold those provisions; and

WHEREAS noise is defined as “unwanted sound”

WHEREAS the City of Toronto is undergoing tremendous re-development and intensification; and

WHEREAS the standard of living of several residents of Toronto are being compromised by the noise created by construction equipment; and

WHEREAS the current By-law does not provide communities with any reprieve of construction noise on any day including Sundays and Statutory Holidays; and

WHEREAS one of the 12 designations of Type of Act within the By-law is “The operation of construction equipment.,” and

WHEREAS the prohibited period of time for the operation of construction equipment is “B(7) 7:00p.m. one day to 7:00a.m. the next day, 9:00 a.m. on Saturdays, Sundays, and statutory holidays.,”

WHEREAS the original recommendations of City staff in May, 2002 were to prohibit construction noise all day Sundays and Statutory Holidays B(4); and

WHEREAS the prohibited period of time for the operation of construction equipment should be changed to consider the needs of existing residents in stable neighbourhoods;

NOW THEREFORE BE IT RESOLVED that the Commissioner of Urban Development Services review the existing Municipal Code Noise By-law, focusing on Table No. 5 which deals with the “operation of construction equipment” and the prohibited period of time and assess the viability of changing the restriction to include Sundays and Statutory Holidays; and

FURTHER BE IT RESOLVED that the Commissioner of Urban Development Services report back to Planning and Transportation Committee in December with recommendations; and

FURTHER BE IT RESOLVED that the development and the construction industry be consulted on any changes that may be proposed in the report.

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(Commissioner of Urban Development Services – October 4,
2004)

(Report 7, Clause 5(h))

Councillor Saundercook advised the Committee that he intends to submit a Notice of Motion to Council for its meeting scheduled to be held on October 26, 2004, respecting the action taken by Council at its meeting on September 28, 29, 30 and October 1, 2004, regarding Clause 3 of Report 6 of the Planning and Transportation Committee, entitled “Age of Vehicles Used as Taxicabs”.

The Committee adjourned its meeting at 12:02 p.m.

Chair.