
**PLANNING AND TRANSPORTATION COMMITTEE
AGENDA
MEETING 4**

Date of Meeting: Wednesday, May 25, 2005 **Enquiry:** Patsy Morris
Time: 9:30 a.m. **Committee Administrator**
Location: Committee Room 1 **416-392-9151**
City Hall **pmorris@toronto.ca**
100 Queen Street West
Toronto, Ontario

Under the *Municipal Act, 2001*, the Planning and Transportation Committee must adopt a motion to meet In-camera (privately) and the reason must be given.

Declaration of Interest under the *Municipal Conflict of Interest Act*

Confirmation of Minutes – April 25, 2005

Speakers/Presentations - A complete list will be distributed at the meeting.

Item 2 - 10:00 a.m.
Item 3 - 10:30 a.m.
Item 12 - 11:00 a.m.
Item 13 - 11:00 a.m.
Item 14 - 11:00 a.m.
Item 16 - 9:45 a.m.

Communications/Reports:

CITY PLANNING

1. Introduction of New Chair of Committee of Adjustment

(Note: No written material available.)

2. Final Report - City Initiated Official Plan Amendment for 1300 and 1340 Leslie Street – Ward 25 – Don Valley West **10:00 a.m.**

(Continuation of a Public Meeting under the *Planning Act* which was adjourned by the Planning and Transportation Committee at its meeting held on March 7, 2005.)

Report (January 11, 2005) from the Commissioner of Urban Development Services responding to Council's direction to bring forward an amendment to the new Official Plan to re-designate the lands at 1300 and 1340 Leslie Street from Mixed Use Areas to either a Neighbourhoods designation or an Institutional Areas designation.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the City of Toronto to re-designate the lands known municipally as 1300 and 1340 Leslie Street from *Mixed Use areas* to *Neighbourhoods* substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1; and
 - (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.
- 2(a).** Communication (April 4, 2005) from the Interim Director of Education, Toronto Catholic District School Board, advising that the Toronto Catholic District School Board at its meeting held on March 23, 2005, approved the following resolution:
- “That the Director of Education advise the City of Toronto that the Toronto Catholic District School Board has no objections with the proposed City initiated Official Plan Amendment to redesignate 1340 Leslie Street (St. Bonaventure Catholic School Site) from Mixed Use to Neighbourhoods Designation conditional upon the City providing assurances that the ability of the Toronto Catholic District School Board to replace, rebuild, renovate or construct an addition to the school at a size and design required to meet the needs of the student population will not be compromised in any respect.”
- 2(b).** Communication (February 18, 2005) from Warren Freedman, supporting Council's intention to re-designate the subject properties to “Institutional or Neighbourhood” which would provide for low rise only.
- 2(c).** Communication (February 24, 2005) from Norman J. Bell, Financial Administrator, The Order Minor Conventuals of Ontario, advising that the Order Minor Conventuals of Ontario will not be in a position to provide a specific response to this matter at the Public Meeting; and requesting that the opportunity to respond to this issue be extended until

such time as their officials and Board of Directors have been able to give in-depth consideration to the proposal.

- 2(d).** E-mail communication (February 28, 2005) from Carrie Kruitwagen.
 - 2(e).** Communication (February 17, 2005) from J. Bruce Falls and E. Ann Falls.
 - 2(f).** Communication (February 18, 2005) from Ruth Haertel.
 - 2(g).** Communication (February 18, 2005) from Garth and Brita Knapp.
 - 2(h).** Communication (February 17, 2005) from J.Y. Cartmell.
 - 2(i).** E-mail communication (March 2, 2005) from Ray Davie.
 - 2(j).** Communication (February 21, 2005) from E. Evenson and P. Evenson.
 - 2(k).** Communication (March 2, 2005) from Dr. and Mrs. W. Robert Bruce.
 - 2(l).** Communication (March 2, 2005) from Josephine Covelli.
 - 2(m).** Communication (March 2, 2005) from Eleanor Palmer.
 - 2(n).** Communication (May 17, 2005) from Mr. Norman Bell, Financial Administrator, The Order Minor Conventuals of Ontario.
- 3. Report on the Expansion of the Community Improvement Project Area and Plan for St. Clair Avenue West (Ward 11 - York South-Weston) (Ward 17 – Davenport) and (Ward 21 - St. Paul’s)** **10:30 a.m.**

(Public Meeting under the *Planning Act*)

Report (April 25, 2005) from the Chief Planner and General Manager, City Planning Division, recommending amendments to the existing St. Clair Avenue West Community Improvement Project Area and Plan to expand the boundary.

Recommendations:

It is recommended that City Council:

- (1) amend and expand the boundary of the St. Clair Avenue West Community Improvement Project Area substantially in accordance with the draft By-law attached as Attachment 5;

- (2) amend and expand the boundary of the St. Clair Avenue West Community Improvement Plan Area substantially in accordance with the draft By-law attached as Attachment 5;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft By-law attached as may be required and introduce Bills in Council to give effect to these recommendations; and
- (4) authorize the necessary City officials to seek the approval of the Minister of Municipal Affairs and Housing for the proposed amendment to the Community Improvement Plan.

4. Draft Urban Design Guidelines for Sites with Drive-Through Facilities

Report (May 3, 2005) from the Chief Planner and Executive Director, City Planning, requesting authority to circulate the attached “Draft Urban Design Guidelines for Sites with Drive-through Facilities” for public discussion and review.

Recommendations:

It is recommended that:

- (1) Council authorize the release and distribution of the draft Urban Design Guidelines for Sites with Drive-through Facilities to representatives of the drive-through industry, resident and ratepayer organizations, business improvement area organizations, and other interested parties for community consultation and Planning staff report back to the Planning and Transportation Committee with finalized Guidelines at the conclusion of the community consultation period; and
- (2) Council authorize the city-wide use of these draft Guidelines in the review of drive-through development applications during the consultation period.

(Note: A copy of the Draft Urban Design Guidelines For Sites with Drive-Through Facilities, dated April 29, 2005, was forwarded to all Members of Council and select officials only; and a copy thereof is also on file in the Office of the City Clerk, City Hall.)

5. Evaluation of the Development Permit System for the Central Waterfront

Report (April 28, 2005) from the City Manager presenting the results of an evaluation of the Development Permit System (DPS) for the Central Waterfront and recommending that Council forward to the Province of Ontario suggested changes to the DPS regulation to better address the regulatory challenges and opportunities in the Central Waterfront.

Recommendations:

It is recommended that:

- (1) Council authorize the Mayor to forward to the Minister of Municipal Affairs and Housing the following suggested changes to Ontario Regulation 246/01 arising out of an evaluation conducted by the City on the use of a Development Permit System in the Central Waterfront:
 - (i) supplement the current scope of a development permit by-law to allow for the inclusion of a broad range of design matters including type of materials and architectural detail, both as provisions within the by-law and as conditions of DPS approval;
 - (ii) supplement the current scope of a development permit by-law to allow a municipality to impose conditions of DPS approval beyond those permitted by Sections 40, 41 and 42 of the Planning Act (exemptions for parking, site plan control and parkland dedication respectively) provided that these types of conditions are stated in an Official Plan and are identified in the development permit by-law;
 - (iii) supplement the current scope of a development permit by-law to allow a municipality to secure public facilities and other core community elements independent of approving increases in height or density; and
 - (iv) supplement the current scope of a development permit by-law to allow a municipality to impose conditions of DPS approval related to the provision of affordable housing, transit, compact-form development and the implementation of green technology in development;
- (2) the Mayor reiterate Council's support for the DPS as it expressed in July 2004, as part of its review of the Provincial Planning Reform Initiatives, as well as its encouragement that the DPS regulation be amended to allow its use throughout the City of Toronto;
- (3) the Waterfront Project Director and Chief Planner be directed to continue to work with provincial officials to effect the recommended changes to the regulation;
- (4) the Waterfront Project Director and Chief Planner be directed to keep Council apprised of the progress of efforts to obtain amendments to this regulation. Should the necessary changes be made in time for the implementation of the East Bayfront Precinct Plan, the Waterfront Project Director and Chief Planner be

directed to report on the potential for implementation of a DPS in East Bayfront and an accompanying public education programme; and

- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

6. Avenue Studies for 2005 – Various Wards

Report (May 2, 2005) from the Chief Planner and General Manager, City Planning Division, identifying Avenues for study in 2005.

Recommendation:

It is recommended that this report be forwarded to Toronto and East York and Etobicoke York Community Councils for consideration at their May 31, 2005 meeting to endorse Avenue studies for St. Clair Avenue West from Bathurst Street to Christie Street, St. Clair Avenue West from Lansdowne Avenue to Keele Street, and O'Connor Drive between Sandra Road and Victoria Park Avenue.

7. Birchcliffe Quarry Lands Study – Phase 1 Report File No. 03 180350 ESC 36 TM Birchcliff Community Ward 36 Scarborough Southwest Ward 35 Scarborough Southwest Ward 32 Beaches East York

Report (April 11, 2005) from the Chief Planner and Executive Director, City Planning, reporting on the Phase 1 Study Area Profile report for the Birchcliff Quarry Lands study area.

Recommendation:

It is recommended that City Council receive this report for information.

8. Report on Phase 1 Parking and Loading Zoning Standards Review

Report (May 12, 2005) from the Chief Planner and Executive Director, City Planning, presenting the results of the Phase 1 review of the parking and loading zoning standards, and recommending the approach to be taken in Phase 2 of the review.

Recommendations:

It is recommended that:

- (1) the Chief Planner and Executive Director of City Planning Division, in consultation with the General Manager of Transportation Services, undertake, as a first priority, a review of parking standards for the following uses and inclusion in the new Zoning By-law:
 - (a) apartment buildings (residential buildings with five or more units), including both tenant and visitor parking needs, and taking into account; the size of units (by number of bedrooms), type of tenure (rental or ownership), housing for targeted groups (seniors, social) and live/work units;
 - (b) office uses, distinguished by the categories of commercial office, government office and medical office; and
 - (c) retail uses, distinguished by various categories as identified through the review process;
- (2) the development of parking standards for the uses listed in Recommendation 1 include, where appropriate, consideration of the following features:
 - (a) application of minimum and maximum parking standards for non-residential uses;
 - (b) reduction of parking standards in areas close to rapid transit stations and in the designated growth areas with high transit accessibility – the Downtown, Centres Central Waterfront and Avenues;
 - (c) allowing the required parking for non-residential uses to be legally secured off-site in certain locations;
 - (d) permitting shared parking in buildings containing a mix of uses with different peak parking characteristics;
 - (e) requiring bicycle parking facilities in developments that exceed a minimum floor area threshold size;
 - (f) requiring a proportion of all required parking spaces to be designated as disabled person parking spaces; and
 - (g) generally applying non-residential parking standards to a uniform measure of gross floor area (g.f.a.) and expressing the standards in terms of “x” spaces per 100 square metres of g.f.a., with a common rounding procedure;

- (3) the Chief Planner and Executive Director of City Planning Division report on recommended by-law amendments on the matter of uniform dimensions for parking spaces and aisle widths, after consulting with the public, and that the public be invited to review and comment on this matter at www.toronto.ca/zoning;
- (4) the Chief Planner and Executive Director of City Planning Division prepare a report and necessary zoning by-law amendments identifying those zones within the former municipal zoning by-laws where there is a planning justification for introducing a zoning by-law amendment to prohibit the charging for visitor parking;
- (5) the Chief Planner and Executive Director of City Planning Division report separately on any zoning by-law provisions related to front yard parking at the time the General Manager of Transportation Services reports on the consolidation of the current municipal by-law and code provisions;
- (6) the Chief Planner and Executive Director of City Planning Division, in consultation with the General Manager of Transportation Services, undertake a review of loading standards and dimensions for commercial and industrial uses and apartment buildings in 2006.

**9. 71 Front Street West – Union Station Historic Structures Report
(Ward 28 – Toronto Centre Rosedale)**

Report (April 27, 2005) from the Chief Planner and Executive Director, City Planning, endorsing the Historic Structures Report for Union Station as part of the background research and documentation of existing condition and as a guide for the revitalization of Union Station.

Recommendation:

It is recommended that the Historic Structures Report for Union Station be endorsed as part of the background research and documentation and as a guide for the redevelopment of Union Station.

(Note: A copy of the Historic Structures Report for Union Station was forwarded to Members of Council and select officials only; and a copy thereof is also on file in the Office of the City Clerk, City Hall.)

10. Toronto South Committee of Adjustment Start Time

Communication (May 11, 2005) from the Toronto and East York Community Council recommending to the Planning and Transportation Committee that City Council change the starting time of the Toronto South Committee of Adjustment from 4:00 p.m. to 2:00 p.m.

11. GO Georgetown/Weston Rail Corridor Rail Expansion – Environmental Assessment

Report (May 12, 2005) from the Chief Planner and Executive Director responding to City Council's Direction of May 4, 2005 regarding the Environmental Assessment (E.A.) currently being conducted for the Georgetown/Weston Sub-Division Rail Corridor.

Recommendation:

It is recommended that City Council direct staff to report on the results of the GO Transit Georgetown/Weston Sub-Division Corridor Rail Expansion – Environmental Assessment following the completion of the current E.A. Study.

MUNICIPAL LICENSING AND STANDARDS

Public Notice

11:00 a.m.

12. Technical Amendment to Chapter 545, Licensing, respecting the Renewal of Licences

Report (April 28, 2005) from the Executive Director, Municipal Licensing and Standards recommending a technical amendment to Chapter 545, Licensing, making the Chapter's renewal provisions consistent with licence late-renewal provisions adopted by Council in June of 2004 and effective as of January 1 of 2005.

Recommendations:

It is recommended that:

- (1) Toronto Municipal Code Chapter 545, s. 545-4B(4) be amended to read:

Subject to § 545-4G(4), if the applicant has applied for renewal of the licence and has remitted the prescribed fee, the licence shall be deemed to continue:

- (a) until the renewal is granted; or
 - (b) if the licensee is served with a notice under Subsection B(1)(a), until the time for requesting a hearing has expired or, where a hearing has been requested, until the Toronto Licensing Tribunal has made a disposition of such application;
- (2) the City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report, effective immediately; and

- (3) all other appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Public Notice

11:00 a.m.

13. Revision of Business Licensing Thresholds

Report (May 5, 2005) from the Executive Director, Municipal Licensing and Standards, recommending revisions to the City's business licensing thresholds to address operational ambiguities and challenges.

Recommendations:

It is recommended that:

- (1) Appendix K and any other relevant provisions of Toronto Municipal Code Chapter 545, Licensing, be amended in accordance with Schedule A;
- (2) the following definition be added in alphabetical sequence to Toronto Municipal Code Chapter 545, Licensing, Section 545-1:

MINOR – Any person under the age of 18 years;

- (3) the recommended changes come into effect on October 1, 2005;
- (4) any other consequential amendments to Toronto Municipal Code Chapter 545, Licensing or any other bylaw be carried out accordingly to give effect to the above recommendations; and
- (5) the appropriate City officials be authorized and directed to take any other necessary action to give effect to the recommendations above.

13(a). Communication (March 29, 2005) from Nicholas Damias, Board Member, regarding business threshold licensing changes.

13(b). Communications (April 26, 2005) and (April 1, 2005) addressed to Councillor Gerry Altobello, Chair, Planning and Transportation Committee from Fred Haywood regarding License No. CLV002 (Fred Haywood and 701022 Ontario Ltd.)

Public Notice**11:00 a.m.****14. Pedicab Regulations**

Report (May 2, 2005) from the Executive Director, Municipal Licensing and Standards, respecting consultations with the pedicab industry.

Recommendations:

It is recommended that:

- (1) the City of Toronto Municipal Code, Chapter 545, Licensing, Article III, relating to owners and drivers of pedicabs, be amended, in the interests of nuisance control and protecting the safety of the public, to restrict pedicabs from:
 - (a) King Street between Spadina Avenue and Jarvis Street
 - (b) Queen Street between Spadina Avenue and Jarvis Street
 - (c) Gerrard Street between Yonge and Bay Streets;
- (2) Chapter 545 be further amended to require that agreed upon fares not exceed the written estimate by ten percent, and that fares be calculated for the use of the pedicab rather than per person; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

15. Licensing of Clothing Drop Boxes

Communication (April 21, 2005) from the City Clerk advising that City Council on April 12, 13 and 14, 2005, adopted, as amended, the following Motion:

Moved by Councillor Moscoe, seconded by Councillor Holyday

“WHEREAS charitable organizations invite people to donate used clothing to be sold to raise funds for charitable purposes; and

WHEREAS clothing drop boxes are commonly located on shopping plaza lots; and

WHEREAS drop boxes masquerading as charitable, but which are entirely private business ventures, have been located on private lots or City property throughout the City without authorization; and

WHEREAS these boxes take advantage of the good nature of people by displaying messages that imply or indicate that the clothing will be used for charitable purposes when, in fact, they are fraudulent; and

WHEREAS these boxes rip off not only contributors but also legitimate charities by drawing away used clothing that would otherwise go to charitable purposes; and

WHEREAS these boxes are often located on or near a property line so that the property owners or tenant businesses assume that they are on City property; and

WHEREAS most are located without authorization; and

WHEREAS the ‘Clean and Beautiful City’ initiative has been adopted as a priority in the City’s recent budget; and

WHEREAS on September 23, 24, and 25, 2003, Council adopted a resolution that would require anyone wishing to locate a clothing drop box on City property to:

- (a) secure the permission of the City;
- (b) agree to maintain and keep clean the area in and around the drop box; and
- (c) produce a legally registered charitable number; and

WHEREAS at its meeting of July 30, 31 and August 1, 2002, Council adopted a Resolution indicating that the licensing of clothing drop boxes be the preferred option for controlling their indiscriminate use; and

WHEREAS nothing has been done about the Council’s determination to see the boxes licensed;

NOW THEREFORE BE IT RESOLVED THAT staff report to next meeting of Council, through the Planning and Transportation Committee, on what actions they have taken to put into effect the direction of Council with respect to drop boxes on City Property (September 2003);

AND BE IT FURTHER RESOLVED THAT the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to license clothing drop boxes as follows:

- (1) the licenses be for a nominal sum;
- (2) in order to receive a license sticker, the applicant must:
 - (a) provide proof of charitable status;
 - (b) prove that they have permission from the owner of the land to locate the box on the property;
 - (c) agree to keep the area free of litter;
 - (d) agree to remove graffiti from the box; and
 - (e) agree to keep the box in good repair;

AND BE IT FURTHER RESOLVED THAT the By-law provide for the removal of a box by City staff and a provision for a removal and storage fee commensurate with the provisions of the new mobile sign by-law;

AND BE IT FURTHER RESOLVED THAT any related cost be paid out of the existing funds budgeted for the 'Clean and Beautiful City' initiative;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to prepare a draft by-law for consideration at the public meeting;

AND BE IT FURTHER RESOLVED THAT a copy of this Motion be forwarded to the City's Agencies, Boards and Commissions with a request that they implement similar controls.

**16. Chair and Vice-Chair Appointments, Toronto Licensing Tribunal 9:45 a.m.
(In-Camera - Identifiable individuals)**

(Deferred from March 7, 2005 meeting.)

Confidential communication (February 9, 2005) from the Toronto Licensing Tribunal respecting appointment of Chairs and Vice-Chairs to the Tribunal, such communication to be considered in-camera as the subject matter relates to identifiable individuals.

BUILDING DIVISION

17. Implementation of the Building Code Statute Law Amendment Act (Bill 124) Prior to the July 1, 2005 Effective Date

Report (May 18, 2005) from the Chief Building Official and Executive Director reporting on the status of the City's implementation of the Building Code Statute Law Amendment Act, 2002, recommending changes to Municipal Code Chapter 363 and approval of the Code of Conduct for the Chief Building Official and Inspectors prior to the effective date, July 1, 2005.

Recommendations:

It is recommended that:

- (1) Council approve amendments to Chapter 363 of the Municipal Code, effective July 1, 2005, to implement the program changes outlined in this report, including:
 - (a) to set a fee for the full review of all applicable law requirements prior to submission of the permit application at 25 percent of the cost of the permit and to reduce subsequent permit fees by the same amount, once submitted as a permit application;

- (b) to set a fee for resubmission of the permit application at 25 percent of the cost of the permit fee, where the written reasons indicate lack of compliance with applicable law and the application was not reviewed for compliance with applicable law prior to submission of the permit application;
 - (c) to provide for two application streams, both incomplete and project managed applications, by retaining the option in the current by-law of submitting 60 percent of the application fee at the time of application for project managed applications where fees are greater than \$20,000, while requiring full payment of fees for applications identified as complete by the applicant;
 - (d) to delegate to the Chief Building Official the ability to prescribe additional forms required to confirm additional information from the applicant, that are not in conflict with the forms approved by the Minister.
 - (e) to make other changes to the by-law to implement the legislation as outlined in this report, substantially in the form of the draft by-law attached hereto as Appendix "A".
- (2) Council adopt the Code of Conduct for the Chief Building Official and inspectors as required under the Building Code Act, effective July 1, 2005, attached as Appendix "B"
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Note: A copy of Appendix A (Draft Building Permit By-law) referred to in the aforementioned report will be distributed as soon as it is available.)

18. Violations to the Building Code

Report (May 18, 2005) from the Chief Building Official and Executive Director reporting on the October 25, 2004 correspondence from Councillor Moscoe to the Chair and Members of the Planning and Transportation Committee on violations to the Building Code.

Recommendation:

It is recommended that Council petition the Provincial government to amend Section 36(8) of the Building Code Act so that the limitations on prosecutions would be consistent with the limitation period which applies to claims that could be made against the City.

18(a). Motion (Undated) from Councillor Howard Moscoe stating that:

Whereas bylaws are only as good as our ability to enforce them; and

Whereas deliberate failure to enforce our bylaws promotes a disrespect for the law and broadcasts the message that the City doesn't really care; and

Whereas the City has arbitrarily decided not to pursue enforcement of violations that are more than a year old, is a major embarrassment; and

Whereas this decision is based on an interpretation of the "pickles" case that is arbitrary and questionable; and

Whereas this particular case, which was centered around a temporary floating dock in the township of Sequin, may have no relevance to most building code violations in the City of Toronto.

Therefore Be it Resolved that the decision not to pursue building violations that are more than a year old be reviewed by the legal department and if necessary by outside legal Council to determine how the city can effectively enforce its bylaws; and

Be it Further Resolved that the legal department report to the Planning and Transportation Committee by the July meeting on changes in policy that will reverse this arbitrary decision and what, if any, legal action needs to be taken to further pursue the City's interest in this matter.

TORONTO TRANSIT COMMISSION

19. Spadina Subway Extension Environmental Assessment Study Phase One Public Consultation Results

Communication (April 7, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, April 6, 2005, the Commission considered the attached report entitled, "Spadina Subway Extension Environmental Assessment Study Phase One – Public Consultation Results."; and the Commission adopted the Recommendation contained in the report, as listed below:

"It is recommended that the Commission:

- (1) receive this report for information; and
- (2) forward this report to the City of Toronto Planning and Transportation Committee, the Regional Municipality of York, the City of Vaughan and GO Transit for information."; and

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