



**PLANNING AND TRANSPORTATION COMMITTEE
DECISION DOCUMENT
MEETING 6**

Report 7 to be considered by City Council on September 28, 29 and 30, 2005

Date of Meeting:	Monday, September 12, 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		

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.

How to Read the Decision Document:

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed – April 25, 2005

Communications/Reports:

CITY PLANNING

- | | |
|---|-------------------|
| 1. Final Report – City Initiated Official Plan Amendment | 10:00 a.m. |
| 2 McDonalds Place, 1 and 3 Concorde Gate and | |
| 10 and 12 Concorde Place | |
| (Ward 26 – Don Valley West) | |

(Public Meeting under the *Planning Act*)

Report 7, Clause 1

The Planning and Transportation Committee recommends that the New Official Plan be amended to change the designation of the lands known municipally as 2 McDonalds Place, 1 and 3 Concorde Gate and 10 and 12 Concorde Place from Mixed Use Areas to Employment Areas and that City Council:

- (1) amend the Official Plan for the City of Toronto 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.**

The Planning and Transportation Committee held a public meeting on September 12, 2005, and notice was given in accordance with the Planning Act.

Report (August 10, 2005) from the Chief Planner and Executive Director, City Planning, responding to Council's direction to present an amendment to the New Official Plan that re-designates the lands known municipally as 2 McDonalds Place, 1-3 Concorde Gate and 10 and 12 Concorde Place from Mixed Use Areas to Employment Areas.

Recommendation:

It is recommended that in the event that City Council decides to amend the New Official Plan to re-designate the lands known municipally as 2 McDonalds Place, and 1-3 Concorde Gate 10 and 12 Concorde Place from *Mixed Use Areas* to *Employment Areas*, City Council may:

- (1) amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1; and
 - authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.
- 1(a).** E-mail communication (August 24, 2005) from Jennifer Whittard;
 - 1(b).** Communication (September 8, 2005) from Anne Morash, The Cadillac Fairview Corporation Limited;

- 2. Preliminary Report Rezoning and Subdivision Applications
05 166169 STE 28 OZ and 05 166163 STE 28 SB
Applicant: Toronto Waterfront Revitalization Corporation (TWRC)
Ontario Realty Corp (ORC) and City of Toronto
Architect: N/A
West Don Lands (185 Eastern Ave)
(Ward 28 – Toronto Centre-Rosedale)**

Report 7, Clause 2

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 1, 2005) from the Chief Planner and Executive Director, City Planning.

Action Taken by the Committee

The Planning and Transportation Committee requested the Chief Planner and Executive Director, City Planning, in consultation with the Toronto and Region Conservation Authority, to submit a report to the Planning and Transportation Committee on the initial review of the flood protection landform in the light of the recent occurrence of flooding in New Orleans; such report to also address the liability to the City in the event there is flooding over that landform.

Report (September 1, 2005) from the Chief Planner and Executive Director, City Planning, providing preliminary information on the above-noted applications and to seek Planning and Transportation and Policy and Finance Committees' directions on further processing of the applications and on the community consultation process.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to interested parties identified during the Precinct Planning process and landowners and residents within 120 metres; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

3. New Provincial Regulation for the Clean Up of Contaminated Sites

Report 7, Clause 3

The Planning and Transportation Committee recommends that City Council adopt staff recommendations (1), (2), and (5) contained in the Recommendation Section of the report (August 24, 2005) from the Executive Director and Chief Planner, City Planning and the Chief Building Official and Executive Director, Building Division.

Action taken by the Committee

The Planning and Transportation Committee

- (1) deferred consideration of Recommendations (3) and (4) contained in the Recommendations Section of the report (August 24, 2005) from the Chief Planner, and Executive Director, City Planning and the Chief Building Official and Executive Director, Building Division, pending a further report from staff on the need for the additional staff;
- (2) requested the Chief Planner and Executive Director, City Planning and the Chief Building Official and Executive Director, Building Division, to report to the October 6, 2005 meeting of the Planning and Transportation Committee on:
 - (a) rate increases not applying to single family homes that are being constructed or renovated on a single unit basis; and
 - (b) on how costs will be apportioned across the balance of the permits.
 - (c) the anticipated 8700 applications to be reviewed, such report to include
 - (i) the breakdown on the nature of the 8700 applications;
 - (ii) ability to absorb without additional staff;
 - (iii) calculation as to how an increase in staff of six was determined;
 - (iv) the feasibility of using contract employees as needed rather than permanent staff; and
 - (v) a procedure whereby some of the onus could be placed upon the applicant to provide additional information as part of their application.

Report (August 24, 2005) from the Chief Planner and Executive Director, City Planning and the Chief Building Official and Executive Director, Building Division, advising that the province's new Regulation 153/04, effective October 1, 2005 - Records of Site

Condition (RSC) will now provide new clear rules for the clean up of contaminated sites when a change in use occurs. This report provides a summary of the new regulation released under the Environmental Protection Act and identifies its implications on City procedures including the impact on building permit service delivery.

Recommendations:

It is recommended that:

- (1) the City's Harmonised Site Remediation Peer Review Process no longer apply to development applications under the Planning Act, except where land is being conveyed to the City as part of the approval of the applications;
- (2) with the exception of projects that involve land conveyances to the City, the current harmonized peer review process that is required as a part of a development application approval be discontinued as of October 1, 2005 and the appropriate City officials, where requested by the property owner, be authorized to make amendments to the peer review requirements of existing development related agreements entered into by the City to reflect this process change;
- (3) effective January 1, 2006, Council approve 6 full time equivalent plan review positions in the Building Division, offset by a 1 percent increase in the building permit application fee to carry out new responsibilities as a result of the Brownfields Statute Law Amendment Act and the potential impact of the new Act on meeting the service delivery standards of the Building Code Statute Law Amendment Act, which take effect on January 1, 2006;
- (4) this report be forwarded to the Works Committee for information; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

4. West Toronto Diamond Rail-to-Rail Grade Separation – Extension of Grade Separation to North of St. Clair Avenue West

Report 7, Clause 4

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 13, 2005) from the Chief Planner and Executive Director, City Planning subject to amending the recommendations to read as follows:

- (1) the City of Toronto formally request the Provincial Minister of Public Infrastructure Renewal and Federal Minister of State for Infrastructure and Communities to help fund important City building in future projects; and**
- (2) City Council direct staff to work with the St. Clair Community Design Consultation Group and Transit Community Liaison Committee (TCLC) to improve physical conditions in and around the CN/CP structure east of Keele Street as part of the detailed design work for the St. Clair West Transit Improvements Project and have this location identified as an additional “key location” for public art and beautification.**

Report (June 13, 2005) from the Chief Planner and Executive Director, City Planning, responding to City Council's Direction of May 18, 2005 regarding the Environmental Assessment (EA) recently completed by GO Transit in relation to the West Toronto Diamond Rail-to-Tail Grade Separation.

Recommendations:

It is recommended that:

- (1) City Council not pursue any additional investigations related to extending the trench for the CN/CP West Toronto Diamond Rail-to-Rail Grade Separation to cross under St. Clair Avenue West, due to the prohibitive high costs that would be borne by the City of Toronto; and
- (2) City Council direct staff to work with the St. Clair West Community Design Consultation Group to improve physical conditions in and around the CN/CP structure east of Keele Street as part of the detailed design work for the St. Clair Avenue West Transit Improvements project.

5. Private Streets in New Residential Developments

Report 7, Clause 5

The Planning and Transportation Committee recommends to Council that the Executive Director of Technical Services, in consultation with the Chief Planner and Executive Director, City Planning, be requested to, in accordance with Council's policy:

- (1) accelerate the process to develop a common standard for public roads; and**
- (2) discourage any applications that involve private roads.**

Action Taken by the Committee

The Planning and Transportation Committee:

- (1) received the report (August 29, 2005) from the Chief Planner and Executive Director, City Planning; and**
- (2) directed that a copy of the foregoing report be forwarded to the Works Committee and the Policy and Finance Committee for information.**

Report (August 29, 2005) from the Chief Planner and Executive Director, City Planning, to establish a process for dealing with applications for residential developments that include proposals for private streets.

Recommendation:

It is recommended that Planning and Transportation Committee receive this report for their information and forward it to both Works Committee and Policy and Finance Committee for their information.

MUNICIPAL LICENSING AND STANDARDS

6. Proposed Graffiti Abatement Strategy – “Clean Team” Operations Anti-Graffiti Coatings

Report 7, Clause 6

The Planning and Transportation Committee recommends to City Council that:

- (1) each City Department identify a list of publicly owned surfaces within their jurisdictions that are prone to graffiti including street poles and traffic control boxes;**

- (2) each Department affected identify a limited amount within their existing budget to experiment with re-coating some problem locations and report on this matter through their respective council committees;
- (3) the Executive Director of Municipal Licensing and Standards be requested to prepare a publication based on the information in this report to distribute to private property owners with graffiti prone properties;
- (4) the full cost of the publication be underwritten by advertising sold to the manufacturers of these coatings;
- (5) this matter be forwarded to the Clean and Beautiful City Roundtable and all City Agencies, Boards and Commissions for their information;
- (6) the “Clean Team” graffiti removal operating season be extended by four months, from the current time period of May to September to an extended period of March to November; and
- (7) the acquisition of two pressure washers and related equipment and supplies be approved, and the cost of \$7,000.00 be absorbed within the non-salary Municipal Licensing and Standards’ budget.

Report (August 18, 2005) from the Executive Director, Municipal Licensing and Standards, advising the Planning and Transportation Committee on anti-graffiti protective coatings.

Recommendation:

It is recommended that this report be received.

TRANSPORTATION SERVICES

7. Toronto Bike Plan – Year 3 Progress Report (2004)

Report 7, Clause 10 (a)

The Planning and Transportation Committee:

- (1) received the communication (June 22, 2005) from the Toronto Cycling Committee; and
- (2) requested the General Manager, Transportation Services to submit a report to the Works Committee on the impact that bike lanes have had on the volume of cyclists within the City and the impact of traffic flows within the City as a result of the bicycle lanes that have been implemented.

Communication (June 22, 2005) from the Toronto Cycling Committee advising that the Toronto Cycling Committee on June 20, 2005, had before it a report (June 13, 2005) from the Acting General Manager, Transportation Services Division, providing the third annual progress report on the implementation of the Toronto Bike Plan and to outline a strategy for reviewing and accelerating the Toronto Bike Plan schedule of implementation. The Toronto Cycling Committee also had before it a communication (June 20, 2005) from Martin Koob, Member, Toronto Cycling Committee.

Recommendations:

The Toronto Cycling Committee on June 20, 2005, recommended that:

- (1) the report (June 13, 2005) from the Acting General Manager, Transportation Services Division, be forwarded to the Board of Health for information;
- (2) the Board of Health request the Medical Officer of Health to:
 - (a) assist the Toronto Cycling Committee in promoting cycling as one of the means to reduce smog and improve air quality; and
 - (b) arrange a presentation to the Toronto Cycling Committee by Toronto Public Health staff regarding:
 - (i) air quality;
 - (ii) fitness;
 - (iii) injury prevention; and
 - (iv) disease prevention

as it relates to promoting cycling as one of the tools to help improve the quality of life for the citizens of Toronto;
- (3) the Works Committee, the Economic Development and Parks Committee and the Planning and Transportation Committee, be advised that the Toronto Cycling Committee endorses the proposed work plan to develop the Strategy for Accelerating the Toronto Bike Plan as outlined in the report (June 13, 2005) from the Acting General Manager, Transportation Services Division;
- (4) City Council be requested to address the shortfalls in capital funding, the insufficient human resources and the difficulties in the bicycle lane approval process that have stalled the implementation of the Toronto Bike Plan; and
- (5) the Acting General Manager, Transportation Services Division, the Chief Planner and Executive Director, City Planning Division, and the General Manager, Parks, Forestry and Recreation Division, be requested to incorporate the strategy proposed in the report (June 13, 2005) from the Acting General Manager,

Transportation Services Division, into their 2006 budget process, in order to assist in the acceleration of the implementation of the Toronto Bike Plan.

TORONTO TRANSIT COMMISSION

8. 1998 and 2001 APTA Rail Safety Audits - Updates

Report 7, Clause 7

The Planning and Transportation Committee recommends that City Council receive the communication (May 12, 2005) from the General Secretary, Toronto Transit Commission.

Communication (May 12, 2005) from the General Secretary, Toronto Transit Commission, advising that on Wednesday, May 11, 2005, the Commission considered the attached report entitled, "1998 & 2001 APTA Rail Safety Audits – Updates". the Commission adopted the Recommendation contained in the report, as listed below:

"It is recommended that the Commission:

- (i) Receive for information, the eighth update of the TTC management Actions for the 1998 APTA Rail Safety Audit and the sixth 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

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

9. Spadina Subway Extension Environmental Assessment Study Phase Two Public Consultation Results

Report 7, Clause 8

The Planning and Transportation Committee recommends that City Council receive the communication (June 23, 2005) from the General Secretary, Toronto Transit Commission.

Communication (June 23, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, June 22, 2005, the Commission considered the attached report entitled, "Spadina Subway Extension Environmental Assessment Study Phase Two Public Consultation Results."; 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 Council (through Planning and Transportation Committee), the Regional Municipality of York, the City of Vaughan, GO Transit and the Ministry of Public Infrastructure Renewal for Ontario, for information.”

The Commission also approved the following motion:

“That following the approval of the final recommendation of the EA Study, planned for the November 23, 2005 Commission meeting, a joint meeting of the City Planning and Transportation Committee and Works Committee be held in late November 2005 to consider the final recommendations of the EA Study, with such meeting to be scheduled so that if approved by the Committees, the report would be considered at the December 2005 meeting of City Council.”; and

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

10. 2004 APTA Rail Safety Audit Final Report

Report 7, Clause 9

The Planning and Transportation Committee recommends that City Council receive the communication (June 23, 2005) from the General Secretary, Toronto Transit Commission.

Communication (June 23, 2005) from Vincent Rodo, General Secretary, Toronto Transit Commission, advising that At its meeting on Wednesday, June 22, 2005, the Commission considered the attached report entitled, “2004 APTA Rail Safety Audit Final Report”; the Commission adopted the Recommendation contained in the report, as listed below:

“It is recommended that the Commission:

- (i) receive for information, the 2004 APTA Rail Safety Audit Final Report including supplemental forms;
- (ii) receive for approval, the 2004 APTA Rail Safety Audit TTC management Action Plan; and
- (iii) forward the report and TTC management Action Plan to the Minister of Transportation, Province of Ontario and the Clerk of the City of Toronto for information”; and

forwarded the foregoing to the Toronto City Council through the City Planning and Transportation Committee for information.

GENERAL

11. Fireworks Displays and Public Safety

Report 7, Clause 10 (b)

The Planning and Transportation Committee:

(A) concurred with the resolution contained in the communication (June 20, 2005) from the City Clerk subject to:

(I) amending the first operative paragraph by:

(i) deleting Parts (3) and (4); and

(ii) adding the following new parts:

(5) undertake meaningful consultation with the pyrotechnic industry and other interested parties regarding the safe use and effective regulation of fireworks sales and displays, including but not limited to the use of a licensing system; and

(6) review and consider religious customs and ceremonies and other cultural practices, including but not limited to religious and cultural holidays, during which fireworks are traditionally used; and

following this consultation and review staff undertake to draft a by-law which addresses the foregoing matters in order to harmonize the existing by-laws regulating fireworks sales and displays;

(II) amending the second operative paragraph by deleting the words “with a request that the provincial government pursue the feasibility of a province-wide ban on private fireworks displays.”; so that the operative paragraphs now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested to report to the Planning and Transportation Committee on:

(1) the City’s legislative authority to regulate the use of fireworks in the City of Toronto;

- (2) **the current Provincial Set Fines for the sale of fireworks to minors;**
- (3) **the status of harmonization of by-laws regulating fireworks sale and displays in the former municipalities in the City of Toronto;**
- (3) **existing laws regulating the sale and use of fireworks in New York State, Quebec and other jurisdictions as deemed appropriate by the City Solicitor;**
- (5) **undertake meaningful consultation with the pyrotechnic industry and other interested parties regarding the safe use and effective regulation of fireworks sales and displays, including but not limited to the use of a licensing system;**
- (6) **review and consider religious customs and ceremonies and other cultural practices, including but not limited to religious and cultural holidays, during which fireworks are traditionally used; and**

following this consultation and review staff undertake to draft a by-law which addresses the foregoing matters in order to harmonize the existing by-laws regulating fireworks sales and displays;

AND BE IT FURTHER RESOLVED THAT a copy of this Motion and the above-mentioned report, when ready, be forwarded to Mr. Michael Bryant, Attorney General of Ontario;”; and

- (B) **requested the Fire Chief and General Manager to submit a report to the Community Services Committee on the extent to which private use of fireworks has created a problem in terms of fires and injuries.**

Communication (June 20, 2005) from the City Clerk advising that City Council on June 14, 15 and 16, 2005, referred the following Motion to the Planning and Transportation Committee:

Moved by Councillor Carroll

Seconded by Councillor Hall

“WHEREAS the 2005 Victoria Day weekend was marred with numerous instances of dangerous and/or careless use of fireworks; and

WHEREAS, in spite of Toronto Fire’s concerted efforts, we still had an alarming number of fires that appear to be attributable to fireworks; and

WHEREAS so far this year, there have been 34 fires with an apparent ignition source being fireworks, with 31 occurring over the last few days causing, in total, \$306,541.00 in property damage; and

WHEREAS the media aired alarming video footage, both amateur and professional, of kids using fireworks as weapons; and

WHEREAS the television news media aired a story featuring a number of local convenience stores that were selling fireworks to minors; and

WHEREAS there is growing public concern about the use of fireworks in their neighbourhoods, often with little regard for public safety; and

WHEREAS the proximity of areas of Toronto to boundaries with other GTA Municipalities may hinder local efforts to license, prohibit or regulate the sale, purchase and use of fireworks;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested to report to the Planning and Transportation Committee on:

- (1) the City's legislative authority to regulate the use of fireworks in the City of Toronto;
- (2) the current Provincial Set Fines for the sale of fireworks to minors;
- (3) whether private fireworks displays can be prohibited or regulated through a permit system;
- (4) the feasibility of a total ban on private fireworks displays in the City of Toronto;
- (5) the status of harmonization of by-laws regulating fireworks sale and displays in the former municipalities in the City of Toronto; and
- (6) existing laws regulating the sale and use of fireworks in New York State, Quebec and other jurisdictions as deemed appropriate by the City Solicitor;

AND BE IT FURTHER RESOLVED THAT a copy of this Motion and the above-mentioned report, when ready, be forwarded to Mr. Michael Bryant, Attorney General of Ontario, with a request that the provincial government pursue the feasibility of a province-wide ban on private fireworks displays.”

- 11(a).** Communication (August 17, 2005) from Eileen Costello, Aird and Berlis, regarding fireworks displays and public safety.

12. Appointment of Member to the Sub-Committee of the Planning and Transportation Committee to Review the City's Planning Process

Report 7, Clause 10 (c)

The Planning and Transportation Committee appointed Councillor Michael Thompson to the Sub-Committee of the Planning and Transportation Committee to Review the City's Planning Process to replace Councillor Cesar Palacio who is no longer a member of the Planning and Transportation Committee.

The membership of the Sub-Committee of the Planning and Transportation Committee to Review the City's Planning Process is as follows:

**Councillor J. Filion (Chair)
Councillor C. Jenkins
Councillor P. Milczyn
Councillor C. Palacio
Councillor K. Stintz**

No agenda material available.

13. Use of Remote Control Cameras to Reduce Illegal Dumping

Report 7, Clause 10 (d)

The Planning and Transportation Committee referred the communication (August 9, 2005) from Councillor David Soknacki to the Executive Director, Municipal Licensing and Standards for report thereon to the Planning and Transportation Committee.

Communication (August 9, 2005) from Councillor David Sokancki requesting that the Planning and Transportation Committee direct the Director of Municipal Licensing and Standards to submit a report to the Planning and Transportation Committee on the feasibility of using cameras to address the problem of illegal dumping.

14. Fuel Surcharge for Taxis

Report 7, Clause 10 (e)

The Planning and Transportation Committee referred the communication (September 12, 2005) from Councillor Howard Moscoe to the Executive Director, Municipal Licensing and Standards for consideration in her forthcoming report to the Planning and Transportation Committee respecting this matter for its meeting scheduled to be held on October 6, 2005.

Communication (September 12, 2005) from Councillor Howard Moscoe submitting a Resolution respecting Fuel Surcharge for Taxis.