



**PLANNING AND TRANSPORTATION COMMITTEE
AND
WORKS COMMITTEE
DECISION DOCUMENT
MEETING 2**

Joint Report 2 to be considered by City Council on December 5, 2005

Date of Meeting: Wednesday, November 30, 2005 **Enquiry:** Rosalind Dyers
Time: 9:30 a.m. **Committee Administrator**
Location: Council Chamber **416-392-8018**
Toronto City Hall **rdyers@toronto.ca**
100 Queen Street West
Toronto, Ontario

The Decision Document is for preliminary reference purposes only. Please refer to the Committees' Joint Report to City Council or to the Minutes for the official record.

How to Read the Decision Document:

- *recommendations of the Planning and Transportation Committee and the Works Committee to City Council are in bold type after the item heading;*
- *action taken by the Planning and Transportation Committee and the Works Committee on their 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 Committees"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Communications/Reports:

1. Spadina Subway Extension Environmental Assessment Study

Joint Report 2, Clause 1

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

- (A) adopt the staff recommendations in the Recommendations Section of the report (November 8, 2005) from the Chief Planner and Executive Director, City Planning,**

the General Manager, Transportation Services, and the Chief General Manager, Toronto Transit Commission, as follows:

“It is recommended that City Council:

- (1) approve the 6.2 kilometre extension of the Spadina Subway along the preferred north-westerly alignment with four new stations at:**
 - (i) the interchange with the GO Bradford Rail Line;**
 - (ii) the intersection of Keele Street and Finch Avenue West;**
 - (iii) at the York University Campus; and**
 - (iv) on Steeles Avenue West between Keele and Jane Streets; and**

as more fully described in the attached Executive Summary report of the Spadina Subway Extension Environmental Assessment Draft Report;
 - (2) authorize the Chief General Manager of the Toronto Transit Commission to submit the complete Environmental Assessment Report to the Minister of the Environment for approval;**
 - (3) forward this report to the Regional Municipality of York, the City of Vaughan, GO Transit and the Ministry of Public Infrastructure Renewal for Ontario, for information; and**
 - (4) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.”;**
- (B) endorse the following ancillary motions (1) to (8) approved by the Toronto Transit Commission at its meeting on November 28, 2005:**
- “(1) that staff review the feasibility of making minor adjustments to the route and consider construction methods that will minimize the disruption to industrial properties in the Kodiak industrial subdivision;**
 - (2) that staff work with business owners and the administration of Downsview Park to assist with the relocation of these businesses on the nearby Downsview lands, and that this be part of the negotiations with the Park regarding the locating of a station on the Downsview Park lands;**
 - (3) that staff convene a meeting of the business owners and the Downsview Park administration including the local councillor and local MP to negotiate a possible relocation package that will assist businesses being displaced to relocate to Downsview lands currently designated industrial or such other locations that can prove to be mutually beneficial;**

- (4) that staff report on the possibility of building Fire Station #141 into the Finch West Subway Station;
- (5) that staff consult with Toronto Water and Technical Services and develop plans for the completion of the trunk sewer north from Sheppard towards Grandravine in conjunction with the construction of this subway;
- (6) that staff report on possible alternative names for the Finch West Station (Keele North Station) and Sheppard West Station (Park Station);
- (7) that staff report back on the rationale of the three-track system versus the two-track system; and
- (8) WHEREAS it is important to continue with property investigations and related engineering support to further define property interests, and respond to more detailed enquiries in response to EA recommendations;

WHEREAS it is important to commence geotechnical and environmental investigations along the recommended alignment and station locations; and

WHEREAS it is important to establish a terms of reference for the Federal Environmental Screening Report in the event that the Canadian Environmental Assessment Act (CEAA) requirements are triggered by federal contributions to the Spadina Subway Extension project;

THEREFORE BE IT RESOLVED THAT:

- (i) the Commission recommend approval for an increase of \$1.3 million to the Toronto Transit Commission's Preliminary 2006-2010 Capital Budget to reflect reallocation of expenditures from the "below the line" Spadina Subway Extension project found in the TTC 2006-2010 Capital Program submission to allow TTC staff to:
 - (a) continue with property investigations and related engineering support to further define property interests and to respond to more detailed enquiries in response to the EA recommendations;
 - (b) commence geotechnical and environmental investigations along the recommended alignment and station locations; and
 - (c) establish a terms of reference for the Federal Environmental Screening Report in the event that the Canadian Environmental Assessment Act (CEAA) requirements are triggered by Federal contributions to the Spadina Subway Extension project; and

- (ii) **the Ontario Ministry of Public Infrastructure Renewal, the Regional Municipality of York and all other participating stakeholders recognize these costs as part of the formal cost-share agreement to be developed respecting the Spadina Subway Extension project”;**
- (C) **require that all emergency exit buildings for the Spadina Subway Extension project be subject to site plan control;**
- (D) **request the Toronto Transit Commission to ask the Chief General Manager, Toronto Transit Commission to submit a report to the February 2006 meeting of the Commission on the feasibility of relocating the three-track structure from under the affected businesses on Kodiak Crescent and Sheppard Avenue West;**
- (E) **request the Federal Government to invest \$10 billion in the Greater Toronto Area over the next five years for subway(rail) expansion; and**
- (F) **in future, the appropriate staff send Registered Letters to all property owners and tenants where there is a possibility of expropriation of property.**

Action taken by the Committees:

The Planning and Transportation Committee and the Works Committee:

- (1) **requested the Chief Planner and Executive Director, City Planning, in consultation with the Chief General Manager, Toronto Transit Commission, to report directly to Council for its meeting on December 5, 2005, on the need and order of priority for subway extensions on Sheppard Avenue, Eglinton Avenue, Yonge Street, the Bloor Street westerly extension, and replacement of the Scarborough LRT; and**
- (2) **requested the General Manager, Transportation Services, to submit a report to the Works Committee on the feasibility of a further northbound extension of Tangiers Road, in order to provide a northern access to the commuter parking via a public street along the north side of the Hydro Corridor.**

Report (November 8, 2005) from the Chief Planner and Executive Director, City Planning, General Manager, Transportation Services, and Chief General Manager, Toronto Transit Commission providing the results of the Spadina Subway Extension Environmental Assessment Study; requesting approval of the preferred alignment, station and commuter facility locations, and direction to staff to continue with the Environmental Assessment approvals process.

Recommendations:

It is recommended that City Council:

- (1) approve the 6.2 kilometre extension of the Spadina Subway along the preferred north-westerly alignment with four new stations at:
 - (i) the interchange with the GO Bradford Rail Line;
 - (ii) the intersection of Keele Street and Finch Avenue West;
 - (iii) the York University Campus;
 - (iv) on Steeles Avenue West between Keele and Jane Streets; andas more fully described in the attached Executive Summary report of the Spadina Subway Extension Environmental Assessment Draft Report;
- (2) authorize the Chief General Manager of the Toronto Transit Commission to submit the complete Environmental Assessment Report to the Minister of the Environment for approval;
- (3) forward this report to the Regional Municipality of York, the City of Vaughan, GO Transit and the Ministry of Public Infrastructure Renewal for Ontario, for information;
- (4) authorize and direct the appropriate City officials to take the necessary actions to give effect thereto.

1(a). Communication (November 29, 2005) from the General Secretary, Toronto Transit Commission, advising that the TTC on November 28, 2005, approved the following recommendations contained in the report (November 10, 2005) from the Chief General Manager:

“It is recommended that the Commission:

- (1) approve the Spadina Subway Extension alignment, stations and related commuter facilities, as described in the attached “Spadina Subway Extension Environmental Assessment Draft Report Executive Summary”;
- (2) forward this report to the City of Toronto Council (through Planning and Transportation Committee and Works Committee) for approval;
- (3) subject to City of Toronto Council approval, authorize the Chief General Manager to submit the complete Environmental Assessment Report to the Ministry of the Environment for approval; and

- (4) forward this report to the Regional Municipality of York, the City of Vaughan, GO Transit and the Ministry of Public Infrastructure Renewal for Ontario, for information.”;

and that the Commission also approved the following ancillary motions:

- (1) that staff review the feasibility of making minor adjustments to the route and consider construction methods that will minimize the disruption to industrial properties in the Kodiak industrial subdivision;
- (2) that staff work with business owners and the administration of Downsview Park to assist with the relocation of these businesses on the nearby Downsview lands, and that this be part of the negotiations with the Park regarding the locating of a station on the Downsview Park lands;
- (3) that staff convene a meeting of the business owners and the Downsview Park administration including the local councillor and local MP to negotiate a possible relocation package that will assist businesses being displaced to relocate to Downsview lands currently designated industrial or such other locations that can prove to be mutually beneficial;
- (4) that staff report on the possibility of building Fire Station #141 into the Finch West Subway Station;
- (5) that staff consult with the City Works Department and develop plans for the completion of the trunk sewer north from Sheppard towards Grandravine in conjunction with the construction of this subway;
- (6) that staff report on possible alternative names for the Finch West Station (Keele North Station) and Sheppard West Station (Park Station);
- (7) that staff report back on the rational of the three track system versus the two track system; and
- (8) Whereas it is important to continue with property investigations and related engineering support to further define property interests, and respond to more detailed enquiries in response to EA recommendations;

Whereas it is important to commence geotechnical and environmental investigations along the recommended alignment and station locations; and

Whereas it is important to establish a terms of reference for the Federal Environmental Screening Report in the event that the Canadian Environmental Assessment Act (CEAA) requirements are triggered by federal contributions to the Spadina Subway Extension project;

Therefore be it resolved that:

- (i) the Commission recommend approval for an increase of \$1.3 million to the Toronto Transit Commission's Preliminary 2006-2010 Capital Budget to reflect reallocation of expenditures from the "below the line" Spadina Subway Extension project found in the TTC 2006-2010 Capital Program submission to allow TTC staff to:
 - (a) continue with property investigations and related engineering support to further define property interests and to respond to more detailed enquiries in response to the EA recommendations;
 - (b) commence geotechnical and environmental investigations along the recommended alignment and station locations; and
 - (c) establish a terms of reference for the Federal Environmental Screening Report in the event that the Canadian Environmental Assessment Act (CEAA) requirements are triggered by Federal contributions to the Spadina Subway Extension project; and
- (ii) the Ontario Ministry of Public Infrastructure Renewal, the Regional Municipality of York and all other participating stakeholders recognize these costs as part of the formal cost share agreement to be developed respecting the Spadina Subway Extension project.

1(b). Communication (November 30, 2005) from Brian Shifman, Executive Director, Smart Commute – North Toronto, Vaughan, in support of the Environmental Assessment recommendations for the Spadina Subway Extension.

1(c). Communication (November 30, 2005) from T. W. Bermingham, Blake, Cassels & Graydon LLP, representing Quontlan Realty Inc. (UPS).

2. Development Infrastructure Policy and Standards – Phase 2 Report

Joint Report 2, Clause 2

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

- (1) adopt the staff recommendations in the Recommendations Section of the report (November 16, 2005) from Deputy City Manager Fareed Amin;**

- (2) **require all new streets to contain ducts for the installation of fibre optic cable and co-axial cable, and that the Technical Services Division develop a standard design and installation protocol to make provision for a cabling system including "to the property line provisions" analogous to a municipal water or sewer system;**
- (3) **designate the Hammerhead design turnaround for utility vehicles as "No Parking Any Time";**
- (4) **require, as a condition of development, that developers of "Mews" register on title that municipal services are not typically provided; and**
- (5) **require developers of new subdivisions to contribute an amount to a traffic calming reserve to be used to fund future traffic calming installations, if and when required.**

Action taken by the Committees:

The Planning and Transportation Committee and the Works Committee requested:

- (i) **the General Manager, Transportation Services, to report directly to Council for its meeting on December 5, 2005, on an appropriate contribution level from the developers that should be set to cover the City's annual cost of traffic calming;**
- (ii) **Deputy City Manager Fareed Amin be requested to report to the Works Committee on the feasibility of enhancing the pedestrian and cycling options, and setbacks in "Mews" developments, as part of the Development Infrastructure Policy and Standards' guidelines; and further that the report include comments on intersection and bulb-outs as pedestrian features; and**
- (iii) **the Executive Director, Technical Services, and the Chief Planner and Executive Director, City Planning to report to the Works Committee on pavement widths narrower than 8.0 metres to allow new public streets to be constructed with similar characteristics to existing public streets in the same neighbourhood, including sidewalks and other similar features.**

Report (November 16, 2005) from Fareed Amin, Deputy City Manager respecting the Development Infrastructure Policy and Standards – Phase 2 Report;

- (i) **advising of the completion of the inter-divisional Development Infrastructure Policy and Standards Review Process;**
- (ii) **submitting the findings of the consultative process and cost implications of different design standards for local residential streets;**
- (iii) **recommending a set of design standards for public local residential streets and criteria for their use; and**

- (iv) recommending criteria to identify where a private street may be considered and establishing the design features of such a street.

Recommendations:

It is recommended that:

- (1) the range of design standards for new public local residential streets and the criteria for the use of the 20.0m, 18.5m and 16.5m right-of-way (ROW) widths and associated turning circles (including narrower ROW widths for single-loaded streets) and a 6.0m ROW width for public rear lanes, as described in Appendix A of this report, be adopted for application throughout the City;
 - (2) the creation of new public streets be generally achieved through the plan of subdivision process;
 - (3) the criteria for the approval and design of private streets (mews) described in Appendix A of this report be adopted to give effect to the Official Plan's policy of permitting appropriate exceptions to the general policy that all new streets should be public streets; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- 2(a).** Communication (November 28, 2005), addressed to Fareed Amin, Deputy City Manager, from Paula J. Tenuta, Director, Municipal Government Relations, Greater Toronto Home Builders' Association, providing comments and recommendations with respect to the Development Infrastructure Policy and Standards – Phase 2 Report.

3. Residential Front Yard Parking Through Zoning and Front Yard Parking Permits

Joint Report 2, Other Items Clause 5(a)

Action taken by the Committees:

The Planning and Transportation Committee and the Works Committee:

- (1) **referred back the following reports to the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services:**
 - **(November 21, 2005) from the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services;**
 - **(November 14, 2005) from the Chief Planner and Executive Director, City Planning; and**

- (November 18, 2005) from the General Manager, Transportation Services,

with a request that:

(a) community consultation on front yard parking be held in each of the four districts; and

(b) the comments of the four Community Councils be obtained,

and further that the comments from the public consultations and the Community Councils be considered by the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services prior to a set of recommendations being brought forward for approval;

(2) requested the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services, in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor, to report to the appropriate committee on the administrative restructuring that would be required to collect all front yard parking permit fees via the property tax bill, in a like manner as taxes, such report to include the divisional budget adjustments required to accomplish this on a “no new net cost” basis, and the time line for the conversion of the present collection method to the new collection method; and

(3) requested the Chief Planner and the Executive Director, City Planning, and the General Manager, Transportation Services, in consultation with the City Solicitor, to ensure that future staff reports on front yard parking be on a single recommendation basis; and that specific policies be formalized that will establish requirements to be followed in the event that City Council grants an exception to the front yard parking policy.

The Planning and Transportation Committee and the Works Committee held a public meeting on November 30, 2005, in accordance with the Municipal Act, 2001, with respect to the report dated November 18, 2005, from the General Manager, Transportation Services, 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.

Report (November 21, 2005) from the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services summarizing how front yard parking is currently regulated in the City and how the reports from both the City Planning Division and Transportation Services Division propose to co-ordinate changes to front yard parking regulations throughout the City.

Recommendation:

It is recommended that, following the adoption of the zoning by-law amendments and Municipal Code amendments to provisions related to front yard parking and requirements for front yard soft landscaping, the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services:

- (a) undertake a program to raise public awareness to the new zoning and Municipal Code requirements, and
- (b) include a standard condition in all subdivision agreements to advise new home owners of the zoning requirements concerning front yard landscaping and driveway widenings.

3(a). Front Yard Parking Zoning Review

Report (November 14, 2005) from the Chief Planner and Executive Director, City Planning reviewing issues related to driveway size, front yard parking and front yard open space in residential areas.

Recommendations:

It is recommended that:

- (1) the Chief Planner and Executive Director, City Planning bring forward zoning by-law amendments dealing with front yard parking, driveway dimensions and front yard landscaping for residential lots as discussed in the report and as shown in Attachment 2; and
- (2) a public meeting under the Planning Act be scheduled at the time the zoning by-law amendments are brought forward.

3(b) Parking on Residential Front Yards and Boulevards – Municipal Code Chapter and Policy Considerations (All Wards)

(Public Notice under the *Municipal Act*)

Report (November 18, 2005) from the General Manager, Transportation Services respecting Municipal Code Chapter provisions related to parking on boulevards and residential off-street parking in front of the main front wall of a residential building (front yard, boulevard flankage and driveway widening); and addressing a number of policy issues related to this form of parking.

Recommendations:

It is recommended that:

- (1) the existing provisions in by-laws/code chapters, or relevant sections thereof, related to residential front yard, residential driveway widening, residential front yard disabled persons and residential boulevard parking of the former municipalities be consolidated and a new uniform Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, be enacted;
- (2) authority be granted to submit any Bills required to enact the new Chapter of the City of Toronto Municipal Code, namely Chapter 918, Parking on Residential Front Yards and Boulevards, generally in accordance with Appendix C of this report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and the General Manager, Transportation Services;
- (3) at such time as the General Manager, Transportation Services, and the City Solicitor deem appropriate, the existing provisions in the Code Chapters and by-laws, or relevant sections thereof, of the former municipalities as set out below, and any other provisions that may be identified by the General Manager or City Solicitor that relate to and have been superseded or replaced by the new Code Chapter be rescinded:
 - former Municipal Code Chapter 963, Parking Disabled, Boulevard, Residential (York);
 - former Municipal Code Chapter 955, Parking Boulevard, Residential Area (York);
 - former Municipal Code Chapter 183, Public Road Allowances, sections 183-17 to 22 (Etobicoke);
 - former By-law No. 122-93, Being a By-law to Licence and regulate boulevard parking in residential areas (East York);
 - former Municipal Code Chapter 248, Parking Licences (Toronto);
 - former Municipal Code Chapter 400, Traffic and Parking, sections 400-2 (part), 400-9D, 400-9E, and 400-47 to 49 (Toronto);
 - former Municipal Code Chapter 313, Streets and Sidewalks, sections 313-39, 313-40 and 313-42 (Toronto); and
 - By-law No. 17307, Being a By-law to Prohibit the parking or driving of vehicles on boulevards (Scarborough);
- (4) the City Solicitor be given the authority to amend any City By-laws or Code Chapters, or sections therein, which may contain reference to any by-law or Code Chapter, or section therein, which is to be superseded by the proposed Chapter 918 to eliminate and, where appropriate, correct such references;

- (5) the City Solicitor, in consultation with the General Manager, Transportation Services, be authorized and directed to make application to the Senior Regional Justice of the Ontario Court of Justice for set fines with respect to the offences created by the above-noted proposed Code Chapter 918, Parking on Residential Front Yards and Boulevards;
- (6) the City Solicitor, in consultation with the General Manager, Transportation Services, and Chief Planner and Executive Director, City Planning, be instructed to examine the Province's bill for a new City of Toronto Act, to determine whether it would grant Council authority to pass by-laws authorizing, pursuant to permits issued, front yard parking within the City beyond the geographic area of the former City of Toronto, and the authority to charge fees in connection with each permit;
- (7) in the event it is deemed the authority as may be established in the new City of Toronto Act is not sufficient to enable Council to enact such by-laws as described in Recommendation (6) above, the City Solicitor, in consultation with the General Manager, Transportation Services, and Chief Planner and Executive Director, City Planning, be authorized and directed to make application to the Province of Ontario to extend, and make any refinements as they determine necessary to, the special legislation currently applicable only within the geographic area of the former City of Toronto, to convey approval authorities to City Council respecting the regulation of front yard parking;
- (8) the provisions contained in this proposed Chapter 918 pertaining to boulevards (City property) are applicable to all areas of the City, while the provisions pertaining to front yards (private property) are applicable only to those areas of the City encompassing the geographic area of the former City of Toronto at this time in view of the current legislative constraints, with the following stipulations:
 - (a) the General Manager shall not accept an application for a licence to park on any portion of the boulevard for residential properties located in Wards 1, 2, 3, 4, 5, 7, 8, 9, 10, 16 (portion outside the former City of Toronto), 23, 24, 25 (portion outside the former City of Toronto), 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44;
 - (b) for those portions of the following Wards within the geographic area of the former City of Toronto, the General Manager may accept applications for front yard parking (private property and/or boulevard portions) for residential properties, namely Wards 11, 12, 13, 14, 16, 17, 21 (portion north of St. Clair Avenue West), 22, 25, 29 and 31;

- (c) for those portions of the following Wards within the geographic area of the former City of Toronto, the General Manager shall not accept applications for front yard parking, or appeals, for residential properties, namely Wards 18, 19, 20, 21 (portion south of St. Clair Avenue West), 27, 28 and 30;
 - (d) Ward 32 be included with those areas where front yard parking is permissible, subject to the proposed provisions in Chapter 918, and the temporary moratorium on the acceptance of applications be rescinded;
 - (e) Wards 6, 15 and 26 be included with those areas where parking on the boulevard is not permissible and no applications for the licensing of same be accepted;
- (9) in the event that future ward boundary realignments result in the area of a ward changing by not more than 20 percent, the General Manager, Transportation Services be authorized to amend the front yard and/or boulevard parking provisions set out in Chapter 918 to reflect the criteria applicable in the majority of the ward;
- (10) in connection with the introduction of Chapter 918, current Municipal Code Chapter 441, Fees, be amended as necessary to reflect the harmonized terminology contained in Chapter 918, with the following adjustments:
- (a) the current appeal fee related to applications for parking on residential front yard or boulevard in areas where it is permitted, be increased from \$200.00 to \$600.00 (2005 rate), in line with current Committee of Adjustment rates, with such fee to be increased annually by the rate of inflation starting in 2006;
 - (b) an inspection fee be imposed on applications submitted and approved where the parking pad had already been constructed without prior authorization from the City, in the amount of \$500.00 (2005 rate) with such fee to be adjusted annually by the rate of inflation starting in 2006;
 - (c) where it is not feasible for the owner of a residential property approved for parking in the front yard or boulevard to plant a tree in the front yard or boulevard, a planting service fee in the amount of \$475.00 (2005 rate), with such fee to be increased annually by the rate of inflation starting in 2006, be imposed for the planting of a tree on City property in the general area, preferably on the same street;

- (11) the General Manager, Transportation Services, shall not give notice of revocation or charge an annual licence renewal fee to residential property owners who currently hold and continue to comply with all requirements of a Special Licence issued by the former Borough of East York pursuant to By-law No. 122-93, until such time as the residential property changes ownership, upon which all applicable provisions in Municipal Code Chapter 918, and fees as described in Municipal Code Chapter 441, Fees, will apply to the new owner;
- (12) the General Manager, Transportation Services, in consultation with the General Manager, Toronto Water, report on amendments to Municipal Code Chapter 918 for the purposes of providing greater specificity to the permeable paving material requirements, at such time as conclusions in this regard are available through the ongoing Wet Weather Flow Management Master Plan and Policy; and
- (13) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

The Planning and Transportation Committee and the Works Committee also considered submissions from the following:

- Brief (November 30, 2005) from Mike Ball, together with a copy of a report, entitled "Making It Happen Pedestrian Safety – A Guide for Communities"; and
- Brief (November 29, 2005) from Rene Zanin.

4. Adjustments to Building Permit Fees and Resources Related to the Implementation of the Brownfields Statute Law Amendment Act

(Public Notice under the *Municipal Act*)

Joint Report 2, Clause 3

The Planning and Transportation Committee and the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 17, 2005) from the Chief Building Official and Executive Director.

The Planning and Transportation Committee and the Works Committee held a public meeting on November 30, 2005, 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.

Report (November 17, 2005) from the Chief Building Official and Executive Director respecting:

- (i) adjustments to Building Permit Fees, resources related to the implementation of the Brownfields Statute Law Amendment Act, and minor amendments to “Schedule D” of the Toronto Municipal Code Chapter 363; and
- (ii) providing alternatives to new permanent staff recommended in the August 25, 2005, report “New Provincial Regulations for the Clean-Up of Contaminated Sites”, including consideration of the potential role for Public Health under the new legislation.

Recommendations:

It is recommended that:

- (1) Toronto Municipal Code Chapter 363 be amended to increase building permit fees by 4.6 percent, effective January 1, 2006, with any applications received before that date, being subject to the fees that applied at the time of application;
- (2) Toronto Municipal Code Chapter 363 be amended to increase all building permit fees annually at a rate equal to the applicable annual wage adjustment increase, effective January 1st, commencing in 2007. In years where the wage adjustment increase is not known by January 1, the fees would increase by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase;
- (3) Toronto Municipal Code Chapter 363 be amended to establish a fee of \$40.00 per new residential unit to apply at the time of building permit application, effective January 1, 2006, and an equivalent increase in overtime expenses of \$400,000.00 be included in the Building Division Operating Budget beginning in 2006, to implement the requirements of O.Reg 153/04 under the Brownfields Statute Law Amendment Act;
- (4) Toronto Municipal Code Chapter 363 “Schedule D” be deleted and replaced with a new “Schedule D” substantially in the form attached as Appendix “A” to this report to reflect amendments in permit application submission requirements;
- (5) the Chief Building Official and Executive Director monitor the review of applications under the new provincial regulations for the clean up of contaminated sites and report back as part of the 2007 Budget process on: the number of applications reviewed as a result of the regulatory changes; the effect on meeting the timeframes for the review of permit applications, introduced as part of the Building Code Statute Law Amendment Act, 2002; and the effectiveness of using overtime to complete the additional work associated with implementing the regulation;

- (6) this report go directly to Council for consideration at the next regular meeting, for implementation effective January 1, 2006; and
- (7) the City Solicitor be authorized to prepare the necessary changes to Municipal Code Chapter 363 and the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

5. Proposed 2006 Development Application Process Fee Increases

(Public Notice under the *Municipal Act*)

Joint Report 2, Other Items Clause 5(b)

Action taken by the Committees:

The Planning and Transportation Committee and the Works Committee:

(A) recommended to the Budget Advisory Committee that:

- (i) **City Council adopt the staff recommendations in the Recommendations Section of the report (November 18, 2005) from Deputy City Manager Fareed Amin; and**
- (ii) **the professional facilitators for community consultation meetings, referred to in section 4.3 of the report from Deputy City Manager Fareed Amin, be hired in conjunction with the Affordable Housing Office; and**

(B) requested Deputy City Manager Fareed Amin to report to the Budget Advisory Committee on:

- (i) **the current ratio of planners to development applications versus the ratio pre-amalgamation; and**
- (ii) **a method by which the City can enhance the planning process through an increase in planners.**

The Planning and Transportation Committee and the Works Committee held a public meeting on November 30, 2005, 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.

Report (November 18, 2005) from Fareed Amin, Deputy City Manager respecting 2006 fee increases for the development application process and a strategy to move toward 100 percent cost recovery for all development application process costs.

Recommendations:

It is recommended that:

- (1) Community Planning application fees be increased by 18.2 percent on April 1, 2006, in order to recover 100 percent of the 2006 base budget costs of the City Planning Division associated with the development review process and to fund the continuation of the full-time staff required in the Technical Services and the Parks, Forestry and Recreation divisions for the processing of applications and the ongoing design, co-ordination and implementation of improvements to the planning application review process, as well as fund the 2006 new requests for 4 site plan administrators, the cost of an outside consultant to refine the determination of the full cost of processing planning applications and the costs to improve the planning process;
- (2) Committee of Adjustment fees continue to be subject to cost of living increases only, as currently determined by the amount of the percentage increase in the All Items Index of the Consumer Price Index for the Toronto Census Metro Area, published by Statistics Canada during the 12-month period ending on October 1, as set out in Section 441-11 of the Toronto Municipal Code;
- (3) Engineering fees for subdivision applications be increased from 3 percent of municipal infrastructure cost to 5 percent of municipal infrastructure cost effective April 1, 2006;
- (4) Engineering fees for site plan and rezoning applications be introduced in the amount of 5 percent of municipal infrastructure cost effective April 1, 2006;
- (5) the Deputy City Manager report to the Planning and Transportation Committee and the Works Committee prior to the 2007 budget process on a phased approach to increasing community planning and other development application process fees in the future that will allow for full cost recovery for all application processing related costs;
- (6) this report be forwarded to the Budget Advisory Committee for consideration during the 2006 budget process; and
- (7) the City Solicitor be directed to prepare the necessary bills to give effect to these recommendations, to be effective April 1, 2006.

6. Status Report – Development Application Review Project (All Wards)

Joint Report 2, Clause 4

The Planning and Transportation Committee and the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (November 18, 2005) from Deputy City Manager Fareed Amin.

Report (November 18, 2005) from Fareed Amin, Deputy City Manager providing a update on the work plan initiatives of the Development Application Review Project.

Recommendations:

It is recommended that:

- (1) Council reaffirm its support for the process of continual improvements and reforms to the development application review process, as outlined in this report, and approve the continuation of the Development Application Review Project under the authority of Deputy City Manager Fareed Amin; and
- (2) the first priority in 2006 be the review of processes associated with development application fees and related securities with the goal of developing, where appropriate, a one-window approach to the collection of fees.