



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

Report 6 to be considered by City Council on September 25, 26 and 27, 2006

Date of Meeting:	Tuesday, September 5, 2006	Enquiry:	Betty Henderson
Time:	9:30 a.m.		Committee Administrator
Location:	Committee Room 1		416-392-8088
	City Hall		bhender1@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 – Meeting of July 4, 2006

CITY PLANNING

- 1. Arts District Zoning By-law Amendment
North York District Application No. 06 156338 NPS 00 TM
Wards 15 and 17 – North York and Etobicoke York Districts
(Public Meeting under the *Planning Act*.)**

Report 6, Clause 1

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 11, 2006) from the Chief Planner and Executive Director, City Planning.

Report (August 11, 2006) from the Chief Planner and Executive Director, City Planning Division, responding to City Council's direction on June 27, 28 and 29, 2006 to review the zoning for the lands in the vicinity of the intersections of Vaughan Road and Oakwood Avenue and Rogers Road and Oakwood Avenue for the designation as an "Arts District" and reporting to the Planning and Transportation Committee with any recommended changes.

Recommendations:

It is recommended that City Council:

- (1) amend the former City of York Zoning By-law 1-83, as amended, to permit "artist studio", "artist live-work unit" and "designer's studio" uses for the lands in the vicinity of the intersections of Vaughan Road and Oakwood Avenue and Rogers Road and Oakwood Avenue substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 1; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

**2. Residential Front Yard Parking Zoning By-law Amendments
(Public Meeting under the *Planning Act*)**

Report 6, Clause 2

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 14, 2006) from the Chief Planner and Executive Director, City Planning.

Report (August 14, 2006) from the Chief Planner and Executive Director, City Planning, recommending the adoption of harmonized zoning regulations for residential driveway width dimensions and front yard landscaping.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 1;
- (2) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 2;

- (3) amend Zoning By-laws 1-83 and 3623-97 for the former City of York substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 3;
- (4) amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 4;
- (5) amend Zoning By-laws 6752 and 1916 for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 5;
- (6) amend the Community and Employment Districts Zoning By-laws for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendments, attached as Attachments 6 to 39; and
- (7) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

3. Amendments to the Ontario Heritage Act Regarding Demolition of “Listed” Heritage Properties, Confirmation of the Status of Existing “Listed” Heritage Properties and Delegation of Authority to Staff to Agree to Extend Time Limits for Certain Council Decisions under the Ontario Heritage Act

Report 6, Clause 3

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 10, 2006) from the Chief Planner and Executive Director, City Planning, as recommended by the Toronto Preservation Board, subject to amending Recommendation (1) to read:

“(1) Council approve the process, including the requirements for a complete application, laid out in Attachment 2, to be followed when owners of “listed” properties (i.e. those which are included on the City of Toronto’s Inventory of Heritage Properties (the Register) but not designated under the Ontario Heritage Act) wish to give notice of their intention to demolish a building or structure on the property; save and accept that the Chief Planner and Executive Director, City Planning, will not apply delegated authority unless there has been consultation with the local councillor(s); and”.

Action taken by the Committee:

The Planning and Transportation Committee received the following communications:

- (a) (September 1, 2006) from the Toronto Preservation Board;

- (b) **(September 4, 2006) from Irina Loewy; and**
- (c) **(September 4, 2006) from Ron Factor.**

Report (August 10, 2006) from the Chief Planner and Executive Director, City Planning Division, informing Council on recent changes to the Ontario Heritage Act which allow “listed” heritage properties greater protection from demolition and recommending an implementation procedure as well as delegation of authority to extend certain decision deadlines in the Act.

Recommendations:

It is recommended that:

- (1) Council approve the process, including the requirements for a complete application, laid out in Attachment 2, to be followed when owners of “listed” properties (i.e. those which are included on the City of Toronto’s Inventory of Heritage Properties (the Register) but not designated under the Ontario Heritage Act) wish to give notice of their intention to demolish a building or structure on the property;
- (2) Municipal Code Chapter 103, Heritage, be amended to include the application procedure in Attachment 2;
- (3) Council confirm that all “listed” properties now included on the Inventory of Heritage Properties (the Register) that are not designated under the Ontario Heritage Act are properties of cultural heritage value or interest;
- (4) Council delegate its authority to agree to the extension of any time limit that is imposed by the Ontario Heritage Act, within which Council must make a decision on an application, to the Chief Planner and Executive Director or his designate, provided the applicant also agrees to an equal extension of the time limit; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of any necessary bills.

4. Update on the Smart Commute Initiative and the City’s Efforts in Transportation Demand Management

Report 6, Clause 4

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning.

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning, providing an update on the Smart Commute Initiative, the associated Transportation Management Associations (TMAs) and the City's Employee Trip Reduction Pilot Program and seeking Council endorsement of continuing and expanding these initiatives.

Recommendations:

It is recommended that Council:

- (1) maintain support for the centralized transportation demand management programs and services provided region-wide by the Smart Commute Association;
- (2) maintain support for the local transportation management associations, namely Smart Commute-North Toronto, Vaughan and Smart Commute Northeast Toronto;
- (3) direct staff to explore ways of delivering transportation demand management programs and services to downtown employers, including the possible formation of a Downtown transportation management association;
- (4) support the expansion of the City of Toronto Smart Commute Employee Trip Reduction Pilot Project to other civic centres and work sites where feasible; and
- (5) forward this report to the Budget Committee for consideration in the 2007 Operating Budget process.

**5. Don Mills Road Transit Improvements
Environmental Assessment Draft Terms of Reference
(Don Valley East, Don Valley West, Toronto Centre-Rosedale, Toronto-Danforth)**

Report 6, Clause 5

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning, subject to:

- (1) **deleting Recommendation (1) and replacing with the following:**

“(1) WHEREAS City Council adopted the Don Valley Corridor Transportation Master Plan (DVCTMP) at its meeting of May 17 to 19, 2005; and

WHEREAS one of the Higher Order TTC improvements recommended by the DVCTMP was “Don Mills BRT service to North Downtown connecting to the Bloor-Danforth subway and to the Downtown core via the Richmond/Adelaide one-way pair” (DVCTMP – Page 36); and

WHEREAS the DVCTMP designated that service to the Bloor-Danforth subway and to the downtown core are “High Priority” and “should be pursued immediately” (DVCTMP – Page 40 and Table 8); and

WHEREAS the DVCTMP envisaged that these interrelated services would be investigated together “as part of a future environmental assessment study” (DVCTMP – page 21) and commented that such “follow-on EA study would assess in more detail the routing options south of Overlea Boulevard and connections to the Bloor-Danforth Subway and downtown (DVCTMP – Table 8) and noted “With respect to transit markets, much of this study has focussed on access to both midtown Toronto (North Downtown) and the traditional “downtown core”. Servicing these two markets requires flexibility with respect to alternate routing. These issues need to be investigated as part of a future environmental assessment study.....” (DVCTMP – page 21); and

WHEREAS City Council, at its meeting of May 17 to 19, 2005, confirmed the essential integrated nature of the Don Mills service and the downtown core service in adopting the recommendations of the Planning and Transportation Committee and the Works Committee (meeting April 7, 2005), as amended by City Council at its meeting May 17 to 19, 2005, including that “(IV) options other than the bus ramps to Castle Frank Station, such as a transit stop/station on Bayview Avenue, with a vertical connection to the Castle Frank Station by way of a people mover (elevator or covered escalator) be reviewed as a possible alternative” and that “(V) opportunities for light rail be reviewed as an alternative to bus rapid transit, including designing the project to later convert to light rail if not presently the preferred option” and that “(VI) options to increase the Don Mills BRT route include connections with Queen Street, King Street and the Waterfront” and that “(VII)(b) when assessing alternatives to link a future possible transit corridor to the Bloor/Danforth Subway, give preference to alternatives that do not use the Bloor Street ramp to the Castle Frank Stations” and that “(2)(d) the option of carrying traffic directly from Adelaide Street East to the Don Valley Parkway, without connection to the Bayview extension, be included in the Environmental Assessment for the Downtown Core options” (Minutes of the Council of the City of Toronto, May 17, 18 19, 2005, s. 6.126 – page 27; Planning and Transportation Committee and Works Committee Decision Document Meeting 1 – page 2); and

WHEREAS to facilitate the examination of integrated solutions and to reduce the likelihood of suboptimal ones, it is desirable that these interrelated services be the subject of a single environmental assessment study rather than a bifurcated study; and

WHEREAS draft Terms of Reference for a bifurcated Environmental Assessment Study for Don Mills Road Transit Improvements between Don Mills Station and the Bloor-Danforth subway alone, were presented to the public at three Open Houses at which strong and repeated representations were heard to the effect that service to North Downtown connecting to the Bloor-Danforth subway and to the Downtown core should be the subject of a single integrated environmental assessment study as envisioned in the DVCTMP; and

WHEREAS the Environmental Assessment Study will include a comprehensive public consultation program;

NOW THEREFORE BE IT RESOLVED THAT City Council support the carrying out of an integrated and co-ordinated environmental assessment study of transit improvements for a continuous Don Mills service to North Downtown connecting to the Bloor-Danforth subway and to the Downtown Core (DVCTMP – page 36) under terms of reference drafted in conformity with the recommendations of the Planning and Transportation Committee and Works Committee at its meeting April 7, 2005, adopted, as amended, by Council of the City of Toronto at its meeting May 17 to 19, 2005 (s626 – page 27); and

(2) adding the following:

“the Environmental Assessment Study public consultation program include the following stakeholders:

(a) Ward 34 Councillor and the following:

- Don Mills Residents Inc.
- Don Valley East (RACA)
- Fenside Community Association
- O’Connor Hills Ratepayers Association
- Bermondsey Business Association
- Victoria Village Community Association
- Condominium Corporations (Ward 34)

(b) all Ward Councillors, Community and Ratepayers Associations, and Condominium Corporations, in the Don Valley Corridor.”

Action taken by the Committee:

The Planning and Transportation Committee received a communication (August 30, 2006) from Councillor Kyle Rae, Ward 27, Toronto Centre-Rosedale.

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning, advising on the status of the Draft Terms of Reference (ToR) for the Don Mills Road Transit Improvements Environmental Assessment (EA), and seeking endorsement to proceed with the EA to study transit improvements along Don Mills Road between Don Mills Station (Sheppard Subway) and the Bloor-Danforth subway, as described in the ToR.

Recommendations:

It is recommended that:

- (1) Council confirm its support to proceed with an individual EA study of transit improvements on Don Mills Road between Don Mills Station (Sheppard subway) and the Bloor-Danforth subway as the highest priority transit service improvement in the Don Mills corridor as documented in the Draft Terms of Reference; and
- (2) Council authorize staff to submit the Draft Terms of Reference for the study to the Minister of the Environment for approval, following the adoption of this report.

6. Design Review Panel Pilot Project - Incorporating Public Projects

Report 6, Clause 26(a)

Action taken by the Committee:

The Planning and Transportation Committee received the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning.

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division, reporting on the public consultation process and recommending implementation of the Design Review Panel Pilot Project.

Recommendation:

It is recommended that this report be received for information.

**7. User Fees for the Bicycle Locker Pilot Project
(Public Meeting under the *Municipal Act, 2001*)**

Report 6, Clause 6

The Planning and Transportation Committee recommends that City Council adopt the staff recommendation in the Recommendation Section of the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning, subject to adding:

“The Municipal Code, Chapter 441, Fees, be amended to include the fees as recommended in this report.”

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division, seeking Council’s authorization for the collection of user fees for the Bicycle Locker Pilot Project.

Recommendation:

That City Council authorize the collection of user fees for the Bicycle Locker Project and that these fees be directed to a reserve fund to help defray the administrative costs of this program.

8. Commuter Attitudinal Survey – 2005 Bulletin

Report 6, Clause 7

The Planning and Transportation Committee recommends that City Council:

- (1) receive the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning;**
- (2) forward a copy of the report to the Toronto Transit Commission and Toronto Parking Authority; and**
- (3) request the Toronto Parking Authority to work with the Toronto Transit Commission to develop a parking philosophy that complements the official plan objectives and encourages enhanced use of public transit.**

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division, informing the Planning and Transportation Committee of the results of the Commuter Attitudinal Survey conducted in the summer of 2005.

Recommendation:

It is recommended that the Planning and Transportation Committee receive this report and the attached Bulletin on the “Commuter Attitudinal Survey 2005” for information.

**(9) Harmonized Residential Demolition Control By-law
Under Section 33 of the *Planning Act***

Report 6, Clause 8

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 16, 2006) from the Chief Planner and Executive Director, City Planning, subject to adding the following:

- “(1) the special powers granted to the former City of Toronto, namely, public notice provisions, bump up provisions, power to delay demolitions, power to revoke demolition permits and the power to impose additional conditions, continue in force and effect and be extended to the entire City when authority to do so is available;**
- (2) the powers granted to the former City of York with regard to site beautification of demolition sites be continued in force and effect and be extended to the entire City when the authority to do so is available; and**
- (3) City Council once again request the province to extend the special powers granted to the former cities of Toronto and Borough of East York to the entire City of Toronto.”**

Report (August 16, 2006) from the Chief Planner and Executive Director, City Planning, seeking Council’s approval to harmonize the six existing residential demolition control by-laws enacted under Section 33 of the *Planning Act*.

Recommendations:

It is recommended that:

- (1) Council approve the draft by-law in Appendix 1 to adopt a harmonized residential demolition control by-law under section 33 of the *Planning Act* and repeal the area specific demolition control by-laws of the former municipalities and as set out in Article 11, Demolition Control of Municipal Code Chapter 363, Building Construction and Demolition;
- (2) authorize the City Solicitor to introduce a bill in Council substantially in the form of the draft by-law in Appendix 1; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

10. Proposed Section 37 Implementation Guidelines

Report 6, Clause 26(b)

Action taken by the Committee:

The Planning and Transportation Committee:

- (1) deferred consideration of the following reports and communications until its special meeting to be held on September 25, 2006 at 12:30 p.m.:**
 - (a) (August 15, 2006) from the Chief Planner and Executive Director, City Planning, entitled, “Supplementary Report: Proposed Section 37 Implementation Guidelines”;**
 - (b) (June 15, 2006) from the Chief Planner and Executive Director, City Planning, entitled, “Results of Consultation on Proposed Implementation Guidelines, for Section 37 of the *Planning Act*”;**
 - (c) (August 27, 2006) from George S. Belza, Partner, ANALOGICA;**
 - (d) (August 28, 2006) from William H. Roberts, Barrister and Solicitor;**
 - (e) (August 31, 2006) from George Belza;**
 - (f) (August 31, 2006) from Paula J. Tenuta, MCIP, RPP, Director, Municipal Governmental Relations, Greater Toronto Home Builders’ Association;**
 - (g) (September 1, 2006) from the Toronto Preservation Board; and**
 - (h) (September 1, 2006) from the Toronto Preservation Board.**
- (2) in the interim, requested staff to meet with the affected parties to achieve a resolution of the issues involved.**

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning, addressing any new issues or concerns raised in deputations and/or submissions to the July 4, 2006 meeting of Planning and Transportation Committee regarding Proposed Section 37 Implementation Guidelines.

Recommendations:

It is recommended that:

- (1) Section 5.6 of the Proposed Section 37 Implementation Guidelines, dealing with streetscape improvements within defined areas such as Business Improvement Areas, be revised to add the following:

“Cash contributions toward streetscape improvements within a defined area, where a plan for such improvements has been endorsed by City Council, from developments approved within or near the defined area, are eligible Section 37 benefits. Such defined areas could include Secondary Plan areas or portions thereof, Business Improvement Areas, Community Improvement areas, or special project areas. In such circumstances, the cash contributions could be secured toward achievement of the overall streetscape improvement plan or to specific components of that plan.”

- (2) the Chief Planner and Executive Director, City Planning be requested to report to Committee once the Ontario Municipal Board (OMB) has made decisions with respect to the Housing and Section 37 policies of the Official Plan on the implications of such decisions for the Proposed Section 37 Implementation Guidelines, and to submit the finalized Guidelines.

Report (June 15, 2006) from the Chief Planner and Executive Director, City Planning, responding to consultation on the Proposed Implementation Guidelines for Section 37 of the *Planning Act*, and recommending revised Guidelines for adoption.

Recommendations:

It is recommended that:

- (1) the revised S.37 Implementation Guidelines attached as Appendix A to this report be adopted for use by City Council, City staff, the development industry and the general public in the implementation of S.37 of the *Planning Act*; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**11. Extension of Interim Control By-law for the
Castlefield Caledonia Design and Décor District
(Ward 15 – Eglinton-Lawrence and Ward 12 York South-Weston)**

Report 6, Clause 9

The Planning and Transportation Committee recommends that City Council:

- (1) **adopt the staff recommendation in the Recommendation Section of the report (August 21, 2006) from the Chief Planner and Executive Director, City Planning; and**

- (2) **request the Chief Planner and Executive Director, City Planning, to incorporate as part of the review, a perspective on how the district will interact with the area immediately to the west, particularly as it relates to truck traffic and the rail crossing.**

Report (August 21, 2006) from the Chief Planner and Executive Director, City Planning, recommending an extension to Interim Control By-laws 862-2005 and 863-2005 for a one year period to complete the study of the zoning regulations and planning policies, focusing on appropriate uses for the Castlefield Caledonia Design and Décor District, as illustrated in Attachment 1.

Recommendation:

It is recommended that City Council amend Interim Control By-laws 862-2005 and 863-2005 to extend the period of time which they will be in effect for an additional period of one year, effective October 26, 2006, to provide an opportunity to complete the planning study for the Castlefield Caledonia Design and Décor District.

12. The Growth Plan for the Greater Golden Horseshoe

Report 6, Clause 10

The Planning and Transportation Committee recommends that City Council:

- (1) **receive the report (August 15, 2006) from the Chief Planner and Executive Director, City Planning; and**
- (2) **write to the Minister of Public Infrastructure Renewal and the Minister of Municipal Affairs to express the City's disappointment that the Growth Plan report is a pale imitation of the reforms that were promised to deal with urban sprawl, specifically:**
 - (a) **the Provincial role in controlling expansion of urban settlement area is greatly reduced;**
 - (b) **the Policy governing location of "major office" development has been weakened;**
 - (c) **higher employment targets in Toronto's Official Plan have not been recognized;**
 - (d) **there is no commitment to infrastructure/transit planning; and**
 - (e) **there is no funding strategy for public transit.**

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division, summarizing the Growth Plan and advising Council of its implications for the City and the region.

Recommendation:

It is recommended that this report be received for information.

13. Site Plan Approval Applications

Report 6, Clause 11

The Planning and Transportation Committee recommends that City Council adopt the following recommendations, as recommended by North York Community Council:

“It is recommended that:

- “(1) In the future, applicants be required to certify that all required fees have been paid for any application to be considered by Council and that all required information has been correctly filed, and that staff include this certification in their report to Council along with the development application form; and**
- (2) City Council direct the Chief Planner and Executive Director, City Planning, to report on:**
 - (a) measures that could be taken to dissuade applicants from submitting misleading development approval applications in the future; and**
 - (b) measures that could be taken to ensure that in the future, third parties potentially affected by development proposals are provided with copies of relevant materials, on request, for such review and expert consultation as may be warranted.”**

Communication (August 10, 2006) from the City Clerk, advising that the following Parts (2) and (3) of the recommendations of the North York Community Council were ruled out of order at City Council on July 25, 26 and 27, 2006, as they have City-wide implications for planning applications and are not specific only to this site plan application; that these are matters that are properly within the jurisdiction of the Planning and Transportation Committee, as they relate to the delivery of City planning services and have application across the City:

- “(2) direct the Chief Planner and Executive Director, City Planning Division, to report on:**

- (a) measures that could be taken to dissuade applicants from submitting misleading development approval applications in the future; and
 - (b) measures that could be taken to ensure that in the future, third parties potentially affected by development proposals are provided with copies of relevant materials, on request, for such review and expert consultation as may be warranted;
- (3) adopt the following additional Recommendation:

‘that in the future, applicants be required to certify that all required fees have been paid for any application to be considered by Council and that all required information has been correctly filed, and that staff include this certification in their report to Council along with the development application form.’ “

**14. Liberty Village Area Study
Toronto and East York Community Council Report 6, Clause 8
06-115757
(Ward 14 – Parkdale-High Park)**

Report 6, Clause 26(c)

Action taken by the Committee:

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

- (1) report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division;**
- (2) communication (July 31, 2006) from the Toronto and East York Community Council; and**
- (3) communication forwarding petitions from the Liberty Village Community Association.**

Report (August 15, 2006) from the Chief Planner and Executive Director, City Planning Division, responding to Council’s direction to review the possibility of introducing a new definition of live/work to capture the uses that exist in the Liberty Village Study Area.

Recommendation:

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

15. Cost Sharing Options and Appropriate Mechanisms for Contributing to the Construction of the Sudbury Street Extension in the Queen West Area (Ward 18 – Davenport)

Report 6, Clause 12

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 29, 2006) from the Chief Planner and Executive Director, City Planning, and the Executive Director, Technical Services.

Report (August 29, 2006) from the Chief Planner, Acting Deputy City Manager and Executive Director, Technical Services, responding to Council's direction of July 25, 26 and 27, 2006, on implications for contributing to the cost of the construction of the Sudbury Street extension in 2007, to what extent the contributions could be and what funding mechanisms are available.

Recommendations:

It is recommended that:

- (1) the Transportation Service Division be directed to add the construction of the necessary extension of Sudbury Street to the affected years of the Transportation Capital Budget Program for its future construction;
- (2) the appropriate City staff be authorized to negotiate with all development applicants within the West Queen West Area with the intent of arriving at an acceptable agreement that would provide for the funding and expedition of the construction of the necessary extension of Sudbury Street;
- (3) the appropriate City staff be authorized to provide for a Development Charge Credit to the West Queen West development applicants; the credit amount not to exceed the Roads portion of the charges to be collected from developers within the West Queen West Area; and
- (4) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

16. Increase to Purchase Order (P.O.) 6013516 for Legal Services

Report 6, Clause 26(d)

Action taken by the Committee:

The Planning and Transportation Committee recommends that the Policy and Finance Committee, and City Council, adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Chief Planner and Executive Director, City Planning, the City Solicitor and the Director, Purchasing and Materials Management.

Report (August 21, 2006) from the Chief Planner and Executive Director, City Planning, City Solicitor and Director, Purchasing and Materials Management, to obtain approval to increase the Purchase Order 6013516 for legal services associated with the approval of the Official Plan.

Recommendations:

It is recommended that:

- (1) Council approve an increase of \$425,000.00 including GST to Purchase Order 6013516 to provide for a total of \$975,000.00 to cover the expenses of the law firm of Ritchie, Ketcheson, Hart and Biggart associated with the approval of the Official Plan which is before the Ontario Municipal Board;
- (2) staff be authorized to increase the Purchase Order 6013516 by an additional \$275,000.00 in 2007 up to the full budget amount of \$1,250,000.00 previously approved by Council if required; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

MUNICIPAL LICENSING AND STANDARDS

17. Noise from Loudspeakers and Other Devices Intended for the Amplification of Sound (Public Meeting under the *Municipal Act, 2001*)

Report 6, Clause 13

The Planning and Transportation Committee recommends that City Council, adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards.

Action taken by the Committee:

The Planning and Transportation Committee received the communication (September 1, 2006) from Wayne Scott, Chair, King-Spadina Residents' Association.

Report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on possible amendments to City of Toronto Municipal Code Chapter

591, Noise, and Chapter 545, Licensing, that will prohibit sound from or created by loudspeakers and other devices intended for the amplification of sound.

Recommendations:

It is recommended that:

- (1) City of Toronto Municipal Code Chapter 591, Noise, be amended to prohibit noise from or created by loudspeakers and other devices intended for the amplification of sound that projects into any street or public place, substantially as set out in the draft amendments in Appendix 1;
- (2) City of Toronto Municipal Code Chapter 545, Licensing, be amended by repealing Article XXI, Owners and Operators of Public Address Systems, Sound Equipment, Loudspeakers and Similar Devices;
- (3) the Executive Director, Municipal Licensing and Standards Division include funding in the amount of \$340,000 to cover enforcement costs pertaining to four new Municipal Standards Officers, 0.2 administrative support full time equivalents and related program costs, in the Division's 2007 operating budget submission; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of the necessary bills in Council.

18. Feasibility of Requiring Professional Bicycle Couriers to be Licensed

Report 6, Clause 14

The Planning and Transportation Committee recommends that City Council adopt the staff recommendation in the Recommendation Section of the report (August 15, 2006) from the Executive Director, Municipal Licensing and Standards, subject to amending the Recommendation to read:

“It is recommended that once the *City of Toronto Act* comes into force, the Executive Director, Municipal Licensing and Standards Division, in consultation with the City Solicitor, be instructed to re-examine the feasibility of licensing bicycle couriers and report thereon to the Licensing and Standards Committee in one year’s time.”

Report (August 15, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on the feasibility of requiring profession bicycle couriers to be licensed, and to display a plate on their bicycles.

Recommendation:

It is recommended that once the *City of Toronto Act* comes into force, the Executive Director, Municipal Licensing and Standards Division, in consultation with the City Solicitor, be instructed to re-examine the feasibility of licensing bicycle couriers.

19. Operation of Construction Equipment in Residential Neighbourhoods on Sundays and Statutory Holidays within 100 metres of any Residential Dwelling Units

Report 6, Clause 15

The Planning and Transportation Committee recommends that City Council adopt the staff recommendation in the Recommendation Section of the report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards.

Action taken by the Committee:

The Planning and Transportation Committee:

- (a) **requested the Executive Director, Municipal Licensing and Standards, to report to City Council on how the City can address and enforce Noise Complaints, outside regular business hours, particularly on the weekends, on a 24/7 basis; and**
- (b) **received the following communications:**
 - (i) **(August 31, 2006) from Paula J. Tenuta, Director, Municipal Government Relations;**
 - (ii) **(August 31, 2006) from Ray Goodfellow, President, obo Board of Directors, Crane Rental Association of Toronto;**
 - (iii) **(September 1, 2006) from Hilde Reis-Smart, Secretary, Teddington Park Residents' Association; and**
 - (iv) **(May 31, 2006) from Bloor-Yorkville BIA resubmitted by Marija Jevric.**

Report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards, addressing the impact of prohibiting noise from the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work.

Recommendation:

It is recommended that the Noise By-law not be amended to prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units, excluding the pouring of concrete and large crane work.

20. Municipal Licensing and Standards Division Licensing Offices

Report 6, Clause 26(e)

Action taken by the Committee:

The Planning and Transportation Committee received the report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards.

Report (August 21, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on current service levels at the City's licensing offices.

Recommendation:

It is recommended that this report be received for information.

**21. Proposed Amendments to the
City of Toronto Municipal Code Chapter 545
Licensing Regarding Hours of Operation for Body Rub Parlours
(Public Meeting under the *Municipal Act, 2001*)**

Report 6, Clause 16

The Planning and Transportation Committee:

(1) recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (October 14, 2005) from the Acting Executive Director, Municipal Licensing and Standards, subject to amending Recommendation (1) to read.

“(1) Council amend Chapter 545, Licensing, of the Toronto Municipal Code, to provide for the hours of operation for Body Rub Parlours to be 9:00 a.m. to 9:00 p.m., Monday to Saturday, and 12:00 noon to 5:00 p.m. on Sundays and Holidays, with the condition that the industry be given an opportunity to come back to Committee with some options to review some possible reforms that will help to eliminate the “nuisance” factors attributed to the industry; and”; and

(2) forwards the recommendations in the Recommendations Section of the confidential report (July 20, 2006) from the City Solicitor, without recommendation, such matter

to be considered in-camera as it relates to solicitor/client privilege under the Municipal Act 2001.

Action taken by the Committee:

The Planning and Transportation Committee:

- (a) **requested the Executive Director, Municipal Licensing and Standards, to report to the Licensing and Standards Committee in the next term of Council on the possibility of developing a Body Rub Parlour District through the Zoning By-Law;**
- (b) **requested the City Solicitor to consult with Anthony Romanelli, Solicitor, Emery Village BIA, prior to the City Council meeting; and**
- (c) **received the following communications:**
 - (i) **(September 5, 2006) from Sandra Farina, Coordinator, Emery Village Business Improvement Area; and**
 - (ii) **(September 5, 2006) from Councillor Giorgio Mammoliti, Ward, 7, York West.**

Communication (August 3, 2006) from the City Clerk, advising that City Council on July 25, 26 and 27, 2006, re-opened Planning and Transportation Committee Report 10, Clause 6, headed "Proposed Amendments to the City of Toronto Municipal Code Chapter 545, Licensing Regarding Hours of Operation for Body Rub Parlours", and referred this clause to the Committee for further consideration.

BUILDING

22. 2006 Ontario Building Code

Report 6, Clause 17

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Chief Building Official and Executive Director.

Report (August 21, 2006) from the Chief Building Official and Executive Director, providing an overview of key technical amendments in the 2006 Ontario Building Code, which include new barrier-free design and energy efficiency requirements, changes to facilitate the use of green technologies and a new objective based code format. The report makes recommendations to address the regulation of green roofs in the City of Toronto and sprinklers in new residential construction, matters not addressed in the new edition of the Code.

Recommendations:

It is recommended that:

- (1) the Chief Building Official and Executive Director report at a later date to the Planning and Transportation Committee on any impact that the new Objective Based Code format and the new structural design requirements have on the ability of the Building Division to meet the performance requirements required by the Building Code Statute Law Amendment Act;
- (2) the Building Division proceed with developing a Toronto green roof construction standard which may be incorporated into a by-law governing and requiring green roofs, should Council decide to enact its authority of Section 108 of the Stronger City of Toronto for a Stronger Ontario Act, 2006; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

23. Access and Routine Disclosure of Building Plans

Report 6, Clause 18

The Planning and Transportation Committee recommends that City Council:

- (1) receive the report (August 18, 2006) from the Chief Building Official and Executive Director and the Director, Corporate Access and Privacy;**
- (2) receive the confidential report (August 21, 2006) from the City Solicitor;**
- (3) direct staff to suspend all work on the policy which is not consistent with the direction given by City Council on January 31, February 1 and 2, 2006 – Notice of Motion F(6); and**
- (4) request the Chief Building Official and Executive Director to report to the Planning and Growth Management Committee (now known as the Planning and Transportation Committee) as directed by City Council on January 31, February 1 and 2, 2006.**

Report (August 18, 2006) from the Chief Building Official and Executive Director, Building Division; and Director, Corporate Access and Privacy, City Clerk's Office, providing information on the development of the policy respecting access and routine disclosure of building permit plans.

Recommendation:

It is recommended that this report be received for information.

24. Nuisance from Prolonged Construction Activity

Report 6, Clause 26(f)

Action taken by the Committee:

The Planning and Transportation Committee referred the report (August 18, 2006) from the Chief Building Official and Executive Director, Building, to the Chief Building Official and Executive Director, Building, for further consideration and to develop:

- (1) a criteria for having a construction job declared a ‘problem site’; and**
- (2) a protocol involving both Buildings and Municipal Licensing and Standards working together to resolve difficulties with the ‘problem site’.**

Report (August 18, 2006) from the Chief Building Official and Executive Director, reporting on measures that could be taken to address issues arising from prolonged construction activity, that cause a nuisance to neighbours, including the potential for recovering costs associated with the issues, and any additional legislative authority that would be necessary to resolve the issues.

Recommendation:

It is recommended that this report be received by the Planning and Transportation Committee.

OTHER

25. Process to Address Tree Preservation Requirements Related to Development and Construction Applications

Report 6, Clause 19

The Planning and Transportation Committee recommends that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (August 21, 2006) from the General Manager, Parks, Forestry and Recreation, subject to the following amendments:**
 - (a) Recommendation (1) be amended to read:**

- (1) **“the Chief Planner and Executive Director be directed to revise the application process to require applicants to include in their submitted plans and applications, along with the presently required tree information for the subject property, details on the portion of the City road allowance fronting their property and any trees, hydro poles, hydrants, etc., located thereon; as well as trees located on neighbouring properties within 6 metres of the subject property;”;**
- (b) **Recommendation (2) be deleted and replaced with the following:**

“(2) until such legislative changes take effect, the Committee of Adjustment be requested to include the following wording in their Notices of Decisions:

‘that the approval is conditional on the applicant meeting the requirements of the City’s Tree Protection By-law’”; and
- (c) **adding the following new Recommendation:**

“the City of Toronto actively pursue changes to the City of Toronto Act to make the City’s tree by-laws applicable law as soon as possible”;
- (2) **direct staff to report to the appropriate Committee on fee increases necessary to ensure sufficient staff to provide adequate protection of City and private trees affected by applications for planning approvals; and**
- (3) **receive the confidential report (August 23, 2006) from the City Solicitor.**

Report (August 21, 2006) from the General Manager, Parks, Forestry and Recreation, reporting, as requested, on existing and development processes related to tree protection and development and construction applications.

Recommendations:

It is recommended that:

- (1) the Committee of Adjustment be requested to require applicants to include in their submitted plans and applications, along with the presently required tree information for the subject property, details on the portion of the City road allowance fronting their property and any trees, hydro poles, hydrants, etc., located thereon; as well as trees located on neighbouring properties within 6 metres of the subject property;
- (2) the Committee of Adjustment include the following wording in their Notice of Decisions: “By granting this permission, the Committee of Adjustment does not

relieve the applicant of meeting all of the requirements of the City's tree protection by-laws;"

- (3) to properly address tree preservation requirements related to development and construction applications, the Parks, Forestry and Recreation Division's Urban Forestry base operating budget increase of \$1.06 million and \$0.19 million (annualized) in 2007 and 2008 respectively together with an additional capital expenditure of \$0.11 million be referred to the Budget Advisory Committee for consideration during the 2007 budget approval process; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

26. Health Risks and Legislative Authority of the Medical Officer of Health regarding Marijuana Grow Houses and Clandestine Drug Laboratories in Toronto

Report 6, Clause 26(g)

Action taken by the Committee:

The Planning and Transportation Committee received the report (August 21, 2006) from the Medical Officer of Health and directed that a copy be forwarded to the Board of Health for information.

Report (August 21, 2006) from the Medical Officer of Health, identifying any health effects that may be associated with environmental mould in Marijuana Grow Operations and to describe the legislative authority of the Medical Officer of Health (MOH) under the Health Protection and Promotion Act (HPPA) in relation to health hazards in marijuana grow houses and clandestine drug laboratories.

Recommendation:

It is recommended that this report be referred to the Board of Health for information.

27. Transportation Planning Cycling Operating Budget Request

Report 6, Clause 26(h)

Action taken by the Committee:

The Planning and Transportation Committee referred the communication (July 26, 2006) from the Toronto Cycling Committee to the Chief Planner and Executive Director, City Planning, for consideration with the 2007 Operating Budget.

Communication (July 26, 2006) from the Toronto Cycling Committee, forwarding the Committee's actions from its meeting on July 17, 2006, as follows:

- “(2) (a) requested that the Planning and Transportation Committee request the Director, Transportation Planning to increase the Transportation Planning Cycling Operating Budget by \$270,000.00 for the following programs, in the following order of priority:
- (i) \$50,000.00 in new funding for 2007 to support and develop section 7.6 of the Bicycle Plan Program Delivery and Expansion of Bicycle User Group Network program, noting that the City of Toronto Promotions need funding in order to have sufficient staff for program delivery, maintenance and development of public services, communications and outreach programming in order to promote and encourage bicycle commuting, and to encourage the growth of community and business cycling groups. Without adequate funding, programming will suffer and the ultimate goal of the Toronto Bike Plan to double the number of bicycle trips made in the City of Toronto as a percentage of total trips by 2011, will be unattainable;
 - (ii) \$150,000.00 in new funding for 2007 to implement section 7.4 of the Toronto Bike Plan to fund and expand the Road and Trail Safety Ambassador Program, noting that the Ambassador program has been under funded in the past two years. The number of ambassadors on staff to implement the road and trail outreach and safety programs has shrunk from 10 ambassadors in 2004 to 6 ambassadors in 2006. The annual amount allocated to maintenance and development of this section of the Toronto Bike Plan should be \$150,000.00. Only \$75,000.00 in funding was granted in 2006 to support the Ambassador program. The Toronto Cycling Committee Promotions Sub-committee recommends that for 2007 the full \$150,000.00 be awarded for the implementation of the Ambassador program;
 - (iii) \$60,000.00 in new funding to support and develop section 7.3 of the Toronto Bike Plan Development of Events and Communications Strategies year round, which are to be in addition to the annual Bike Week event in May. The Toronto Cycling Committee Promotions Sub-committee suggest adding a bi-annual Bicycle Summit, developing a Peddle Power Expo Competition with public applicants (possibly aimed at college or university engineering students) to be put on public exhibition in Nathan Philips Square, development of a Bicycle Speakers Series, and to host some public communal rides with various themes, in the city. This is a sample of some ideas that the TCC Promotion Sub-

committee has presented to City of Toronto Promotions staff to be used as a loose guide for staff in the development of section 7.3. Section 7.3 of the Toronto Bike Plan also calls for new communications and marketing campaigns. The Toronto Cycling Committee Promotions Sub-committee has made some suggestions to City Promotions staff about some strategies for media campaigns. A portion of this funding should go towards paid radio and print ads, as well as an allocation of funds for development of campaigns and market research using feedback from recreational cyclists and non cyclists to adapt and develop effective campaigns to promote commuting and errand cycling to these demographics; and

(iv) \$10,000.00 in new funding for development of section 7.1 of the Toronto Bike Plan For Program Delivery of the expansion of Bike Week for 2007;

(b) requested that the Chair, Toronto Cycling Committee forward a communication to the Planning and Transportation Committee giving background information and explanations of any adjustments that occurred subsequent to the July 17, 2006 meeting of the Toronto Cycling Committee, regarding the position taken by the Toronto Cycling Committee; and

(c) authorized Martin Koob to make any necessary adjustments to the motion adopted at the July 17, 2006 meeting of the Toronto Cycling Committee and to forward them to the Chair of the Toronto Cycling Committee so that they may be included in his communication.”

28. Ridership Growth Strategy – Status Update

Report 6, Clause 20

The Planning and Transportation Committee:

- (1) received the communication (July 24, 2006) from the General Secretary, Toronto Transit Commission; and**
- (2) directed that the communication (July 24, 2006) be forwarded to City Council for information.**

Communication (July 24, 2006) from the General Secretary, Toronto Transit Commission, forwarding to City Council through the Planning and Transportation Committee, for information, action taken by the Commission at its meeting on July 19, 2006 respecting the report entitled, “Ridership Growth Strategy – Status Update”.

29. Proof-of-Payment Fare Collection at the TTC

Report 6, Clause 21

The Planning and Transportation Committee:

- (1) received the communication (July 24, 2006) from the General Secretary, Toronto Transit Commission; and**
- (2) directed that the communication (July 24, 2006) be forwarded to City Council for information.**

Communication (July 24, 2006) from the General Secretary, Toronto Transit Commission, forwarding to City Council through the Planning and Transportation Committee, for information, action taken by the Commission at its meeting on July 19, 2006 respecting the report entitled, "Proof-of-Payment Fare Collection at the TTC".

**30. Russell Hill Subway Train Accident of August 11, 1995
Due Diligence Checklist Update**

Report 6, Clause 22

The Planning and Transportation Committee:

- (1) received the communication (August 31, 2006) from the General Secretary, Toronto Transit Commission; and**
- (2) directed that the communication (August 31, 2006) be forwarded to City Council for information.**

Communication (August 31, 2006) from the General Secretary, Toronto Transit Commission, forwarding to City Council through the Planning and Transportation Committee, action taken by the Commission at its meeting on August 20, 2006, respecting the report entitled, "Russell Hill Subway Accident of August 11, 1995 Due Diligence Checklist Update".

31 Scarborough RT Strategic Plan

Report 6, Clause 23

The Planning and Transportation Committee:

- (1) received the communication (August 31, 2006) from the General Secretary, Toronto Transit Commission; and
- (2) directed that the communication (August 31, 2006) be forwarded to City Council for information.

Communication (August 31, 2006) from the General Secretary, Toronto Transit Commission, forwarding to City Council through the Planning and Transportation Committee, action taken by the Commission at its meeting on August 30, 2006 respecting the report entitled, "Scarborough RT Strategic Plan".

32. Reports on Burying of the Gardner Expressway

Report 6, Clause 24

The Planning and Transportation Committee recommends that City Council adopt the following Motion by Councillor Minnan-Wong:

"WHEREAS City staff have in their possession studies completed by outside consultants that discuss options for burying the Gardiner Expressway; and

WHEREAS staff are reviewing these reports and will be commenting sometime in the future; and

WHEREAS the Members of Council and the public are interested in reviewing these reports at the earliest opportunity;

THEREFORE BE IT RESOLVED that staff make these reports available under confidential cover to the Planning and Transportation Committee Members;

AND BE IT FURTHER RESOLVED that the reports also be made available under confidential cover to any Member of Council who requests a copy of such reports, through the Office of the City Clerk."

33. Partial Settlement of Appeals to the New Official Plan – Section 37 Policies

Report 6, Clause 25

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Sections of the following confidential reports:

- (1) (August 21, 2006) from the City Solicitor, and further that, in accordance with the *Municipal Act*, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation; and**
- (2) (August 24, 2006) from the City Solicitor, and further that, in accordance with the *Municipal Act*, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation; and**

such matters to be considered in-camera as it relates to litigation or potential litigation under the Municipal Act 2001.