

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 4

Monday, March 26, 2001

The Planning and Transportation Committee met on March 26, 2001, in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

Councillor	9:30 a.m.	2:00 p.m.
Councillor Joe Pantalone, Chair	X	X
Councillor Mario Silva – Vice-Chair	X	X
Councillor Gerry Altobello	X	-
Councillor Brian Ashton	X	X
Councillor Joanne Flint	X	X
Councillor Pam McConnell	X	X
Councillor Peter Milczyn	X	X
Councillor Howard Moscoe	X	X

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

None declared

Confirmation of Minutes

On motion by Councillor Moscoe, the Minutes of the meetings of the Planning and Transportation Committee held on February 5, 2001 and February 19, 2001, were confirmed.

4.1. Truck Drivers Hours of Service

The Planning and Transportation Committee gave consideration to a report (March 8, 2001) from Joe MacDonald, Senior Partner, Corporate Communications & Public Affairs Ltd., expressing concerns regarding proposed changes to regulations governing truck drivers hours of service and seeking support for the following:

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- a resolution asking the provincial and federal governments to hold public hearings on the proposed changes to truck driver hours of service regulations; and
- a request that these hearings explicitly address the question of the significant difference between Canadian and American hours of service regulations.

The Committee also had before it the following communications:

- (March 23, 2001) from Doug Switzer, Ontario Trucking Association forwarding comments regarding Canadians for Responsible and Safe Highways (CRASH) for information.
- (undated) from Joe MacDonald, CRASH forwarding a submission, titled "Canadian Views on Trucking Safety, Angus Reid Group, September 2000".

The following persons addressed the Committee with respect to this matter:

- Faye Lyons, CAA Central Ontario;
- David Leonhardt, CAA Ontario; and
- Joe MacDonald, CRASH.

On motion by Councillor Pantalone, the Planning and Transportation Committee recommended to Council that:

- (1) the Provincial and Federal Governments be requested to hold public hearings on the proposed changes to truck driver hours of service regulations and that these hearings explicitly address the question of the significant difference between Canadian and American hours of service regulations;
- (2) Council's decision in this regard be forwarded to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities; and
- (3) the Commissioner of Urban Development Services report to the Planning and Transportation Committee once the Provincial and Federal Governments have made decisions with regard to this matter.

On motion by Councillor Pantalone, the Planning and Transportation Committee referred Councillor Moscoe's following motions to the Commissioner of Urban Development Services with a request that she report thereon to Planning and Transportation

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Committee by its June 4, 2001 meeting indicating which of these motions are within the jurisdiction of the City of Toronto:

- “(1) Council express its support to the position of CRASH to oppose relaxation of safety standards through increasing maximum driving periods;
- (2) Council request that Canadian/American standards be harmonized at the safer levels;
- (3) Council advise the Provincial Government, the Federal Minister of Transportation and the Teamsters Union of its position in this regard;
- (4) the Commissioner of Urban Development Services be requested to review the feasibility of imposing restricted hours on long distance trucking on those roads controlled by the City of Toronto: e.g., the QEW, the Gardiner Expressway, Highways No. 2 and No. 27, and the Don Valley Parkway and report thereon to the Planning and Transportation Committee;
- (5) the Commissioner of Urban Development Services report on the feasibility of designating a portion of the centre core lanes of Highway 401 and the QEW as long distance truck only lanes within the context of prohibiting long distance trucking from the collector lanes either permanently or at designated hours; and
- (6) the Commissioner of Urban Development Services be requested to review the feasibility of establishing a truck only route either through or around Toronto using Hydro rights-of-way or abandoned rail lines paid for by existing taxes in the cartage industry.

(Commissioner, Urban Development Services – March 29, 2001)

(Clause No. 1, Report No. 3)

- 4.2. Application by GTAA to Amend the Official Plans of the former Municipality of Metropolitan Toronto and the former Cities of Etobicoke and North York (Ward 2, Etobicoke North; Ward 3, Etobicoke Centre; Ward 7, York West)**

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The Planning and Transportation Committee gave consideration to a report (March 2, 2001) from the Commissioner, Urban Development Services to consider a proposal by the Greater Toronto Airports Authority to amend the Metropolitan Toronto, Etobicoke and North York Official Plans and recommending that:

- (1) City Council, following consideration of the comments received at the public meeting, instruct City Legal staff to request the Ontario Municipal Board to amend the Metropolitan Toronto, Etobicoke and North York Official Plans generally in accordance with the draft amendments attached to this report;
- (2) City Council, by resolution, insert a new Appendix "F" into the Metropolitan Toronto Official Plan; and,
- (3) City Council, by resolution, delete Appendix "A" from the Etobicoke Official Plan.

The Committee also had before it the following communications/reports:

- 187 identical submissions from area residents opposing the application by the GTAA.
- (March 23, 2001) from the Administrator, Planning and Transportation Committee advising that a further 38 communications in form and content identical to the sample included as 2(a) on the supplementary agenda opposing the above noted application have been received and are on file in the office of the City Clerk.
- (March 18, 2001) from John Anga and Joanna Twitchin, Co-Presidents, Thistletown Ratepayers Association opposing the inclusion of any airport operating area in the Official Plan.
- (March 15, 2001) from Irene Ellis and John G. Ellis opposing the rezoning application by the GTAA.
- (March 21, 2001) from Tom Gladney opposing the rezoning application by the GTAA.
- (March 19, 2001) from Paul Badics in favour of the rezoning application by the GTAA.
- (March 22, 2001) from the Commissioner of Urban Development Services making minor technical corrections to the proposed Official Plan Amendments attached to the March 2, 2001 staff report and recommending that the draft official plan amendments attached to the March 2, 2001 staff report be replaced with the draft official plan amendments attached to this report and that the map

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schedules in the amendment and the appendix be revised by changing the operating area in accordance with the map attached to this report.

- (undated) from Sylvia Giovanella, President, Etobicoke Federation of Ratepayers' and Residents' Associations advising that the GTAA application is not in the community's interest and providing reasons.
- (March 23, 2001) from Donna R.D. Porter requesting that the Committee ensure that the GTAA `Operating Area' does not cover properties that are not under the NEF/NEP area.
- (March 23, 2001) from Steve Shaw, Vice-President, Corporate Affairs & Communications, Greater Toronto Airports Authority advising of his support for staff recommendations and noting that some technical amendments will remain outstanding for which discussions are continuing.
- (March 23, 2001) from Brian M. Dourley, Miller Thomson LLP representing the Toronto Catholic District School Board and advising of their objection to the Official Plan amendment.
- (March 23, 2001) from Tom Dean opposing the GTAA proposed Operating Area.
- (undated) from E.M. Kurak, Secretary, Markland Woods Home Association opposing the GTAA proposed Operating Area.
- (March 25, 2001) from Richard L. Boehnke in favour of the rail linkage and opposing the concept of the Operating Area.
- (March 25, 2001) from Dr. Peter Yannopoulos opposing the proposed GTAA Operating Area.
- (March 26, 2001) from Peter Van Loan, Fraser Milner Casgrain LLP, acting for the Ontario Jockey Club and expressing support for the recommendations in the March 22, 2001 supplementary report.
- (March 26, 2001) from Dr. Donald Beggs asking the Committee to reject or modify the GTAA application.
- Overhead presentation from the Urban Development Services Department.

Mr. David Oikawa, Manager, Community Planning, West District, Urban Development Services, gave a presentation to the Committee with regard to this matter; and the following persons addressed the Committee:

- Dr. D.W. Beggs, Donald W. Beggs Enterprises Inc.;

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- Dr. Peter Yannopoulos;
- Richard Boehnke;
- Don Bennett;
- Sylvia Giovannella, Etobicoke Federation of Ratepayers' and Residents' Associations;
- Steve Shaw, Vice-President of Corporate Affairs and Communications, GTAA; and
- Ross Vaughan, I.R.R.A., Past President.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council that the report (March 2, 2001) from the Commissioner of Urban Development Services be adopted subject to:

- (a) in view of the representation made by the Greater Toronto Airports Authority and their request that the NEF/NEP noise contours be established as a fixed boundary amendment to the City of Toronto Official Plan, any NEF/NEP noise contours and corresponding flight paths not be adjusted without an amendment to the Official Plan boundaries, and that statutory community consultation pursuant to the Planning Act be provided; and
- (b) the adoption of the further report (March 22, 2001) from the Commissioner of Urban Development Services subject to amending Attachment No. 2 of this report titled "Revised Staff Recommendations for Proposed Official Plan Amendments", by inserting in Point 1. headed "Section 2.4 TRANSPORTATION", the word "public" prior to the word "transit", so as to read:

"It is the policy of Council:

- "95. to encourage initiatives by the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport and to encourage initiatives by the federal and provincial governments to undertake and develop public transit facilities from downtown Toronto to Lester B. Pearson International Airport."

On motion by Councillor Milczyn, the Planning and Transportation Committee forwarded the reports (March 2, 2001 and March 22, 2001) from the Commissioner of Urban Development Services, together with all related material and notice

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of the action taken by the Planning and Transportation Committee in this respect, to the North and West Community Councils for public consultation at their next meetings on April 4, 2001 with a request that they forward their comments thereon directly to City Council for its meeting on April 24, 2001; and

On motion by Councillor Ashton, the Planning and Transportation Committee requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on April 24, 2001, on:

- (a) the financial impact of sound modifications with respect to construction or reconstruction of school buildings; and
- (b) the potential to further reduce the impact of the contour lines on the Markland Woods community in the former City of Etobicoke.

The following motions were voted on and lost:

By Councillor Moscoe:

“That the Commissioner of Urban Development Services be requested to report to a future meeting of the Planning and Transportation Committee on a protocol to assist single lot residential property owners facing an appeal to the Board of the GTAA.”

By Councillor Milczyn:

“That the report (March 22, 2001) from the Commissioner of Urban Development Services be amended by deleting Section 122.1 in Attachment No. 2 titled “Revised Staff Recommendations for Proposed Official Plan Amendments” appended thereto.

By Councillor Moscoe:

“That the report (March 22, 2001) from the Commissioner of Urban Development Services be amended by deleting Section 185.6 in Attachment No. 2 titled “Revised Staff Recommendations for Proposed Official Plan Amendments” appended thereto.

(North Community Council, West Community Council, Interested Persons; cc: Francine Adamo, Committee Administrator, North Community Council, Mary Casini, Committee Administrator, West Community Council – March 28, 2001)

(Clause No. 2, Report No. 3)

4.3. Program Enhancements and Consolidation of By-Laws Affecting Parking Enforcement on Private Property

The Planning and Transportation Committee gave consideration to a report (March 13, 2001) from City Clerk advising that City Council, at its meeting held on March 6, 7 and 8, 2001, referred the following Motion to the Planning and Transportation Committee:

“Moved by: Councillor Moscoe

Seconded by: Councillor Prue

“WHEREAS Council at its regular meeting held on October 3, 4, and 5, 2000, and at its Special Meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000 considered Report No. 17 Clause No. 1 of the Administration Committee entitled “Program Enhancements and Consolidation of By-laws Affecting Parking Enforcement on Private Property”, which Clause incorporated recommendations from the Planning and Transportation Committee; and

WHEREAS Council adopted recommendations of the Planning and Transportation Committee embodied in a communication dated September 19, 2000 from the City Clerk, subject to two amendments; and

WHEREAS the amended recommendations adopted by Council deferred consideration of all aspects of the Clause pertaining to the 30-minute grace period between the ticketing and towing of vehicles and directed that the Commissioner of Urban Development Services and the City Solicitor report on that issue directly to Council; and

WHEREAS Council also directed that staff submit the amended by-laws directly to Council and report on any significant issues arising during their preparation; and

WHEREAS the City Solicitor and Commissioner of Urban Development Services have prepared the attached joint report dated February 21, 2001 in accordance with Council’s direction; and

WHEREAS the City Solicitor has prepared Bills as directed by Council to reflect the recommendations contained in the attached joint report of February 21, 2001;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the above-mentioned joint report dated February 21, 2001 from the Commissioner of Urban Development Services and the City Solicitor and that Council adopt such joint report.”

and further advising that City Council also had before it during consideration of the Motion, a joint report (February 21, 2001) from the City Solicitor and the Commissioner of Urban Development Services, entitled “Programme Enhancements and Consolidation of By-laws Affecting Parking Enforcement on Private Property”.

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The Committee also had before it the following reports/communications:

- (March 22, 2001) from the Administrator, Planning and Transportation Committee forwarding draft by-laws relating to the above which were inadvertently not appended to the report (February 21, 2001) from the City Solicitor (attached to the City Clerk's transmittal letter of March 13, 2001).
- (March 22, 2001) from Patrick McInnis, Imperial Parking Canada Corporation advising that it does not support the draft by-law because it is too far-reaching; interferes with the right of private parking lot operators to enter into a contract with persons parking on their locations; lost revenues and increased costs for private businesses and requires approval by police for every lot.
- (March 22, 2001) from John Weingust, Q.C., Barrister & Solicitor opposing the recommendations because payment using a 1-900 number would merely enrich the system installers; visitors' parking spaces should be provided by landlords; a 30-minute wait prior to the issuing of a ticket on private parking lots should be maintained; and lien rights given to the towing companies would bring back abuses such as inclusion of monies charged for other services connected with the towing.
- Presentation by Rick Yowfoo, Supervisor, Parking Enforcement East - Contract Services, Toronto Police Services.

Mr. Rick Yowfoo, Supervisor (65114), Parking Enforcement East - Contract Services, Toronto Police Services, gave a presentation to the Committee with regard to this matter and the following persons addressed the Committee:

- Irwin Patterson;
- Patrick McInnis, Imperial Parking Canada Corporation;
- Brad Butt, Executive Director, Greater Toronto Apartment Association;
- John Long, Downtown Towing and Storage; and
- Derrick Snowdy, Intelligarde International.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council that the joint report (February 21, 2001) from the City Solicitor and the Commissioner of Urban Development Services, appended to the transmittal letter (March 13, 2001) from the City Clerk be adopted subject to amending Recommendation (6) to read:

- “(6) the charging of any fee or service charges for using visitor parking spaces in residential buildings be prohibited, and

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appropriate City of Toronto by-laws be amended to conform to this change.”

so that these recommendations now read:

- “(1) There be a mandatory grace period of 30 minutes before a vehicle is towed from private or municipal property, subject to the exceptions noted in this report;
- (2) the requirement that properties be approved by the Chief of Police before vehicles may be removed from the properties not apply to tows authorized by the police officers and Municipal Law Enforcement Officers (MLEO’s) employed by the Toronto Police Service;
- (3) the Parking on Private/Municipal Property By-law, the Municipal Law Enforcement Officer Appointment By-law and the Licensing By-law amendments require the issuance of a Toronto Police Service Tow Card by the police officer or MLEO who issued the parking infraction notice before a vehicle is towed under by-law or by a licensed tow truck;
- (4) the Licensing By-law amendment not specify an entire form of contract which is to be signed by private parking enforcement agencies and property owners, but rather, require that such contracts contain wording to prohibit the payment of administration fees from the private parking enforcement agencies to the private property owners;
- (5) the Toronto Police Services Board be asked to consider whether a fee should be charged for properties to be designated under the programme;
- (6) the charging of any fee or service charges for using visitor parking spaces in residential buildings be prohibited, and appropriate City of Toronto by-laws be amended to conform to this change;
- (7) Council enact the new parking on Private/Municipal Property By-law, the new MLEO Appointment By-law and Licensing By-law amendments presented with this report, with the by-laws to take effect on January 1, 2002;
- (8) the Chief of Police, as part of the two-year review of the private property enforcement programme, consider whether

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an annual permit requirement and related fees should be implemented for signs required on private property under the programme;

- (9) the existing provisions under which Works and Emergency Services employees are appointed as Municipal Law Enforcement Officers be amended to bring the appointment process in line with that which exists for other MLEO's; and
- (10) the appropriate City officials be authorized and take the necessary action to implement the by-law requirements.

On motion by Councillor Ashton, the Planning and Transportation Committee requested the Commissioner of Urban Development Services to report directly to City Council for its meeting on April 24, 2001 on:

- (1) the appropriateness of the existing set fine for parking violations on private property; and
- (2) the following motion placed by Councillor Milczyn which was referred to the Commissioner for report:

“With respect to Recommendation (1) of the joint report (February 21, 2001) from the City Solicitor and the Commissioner of Urban Development Services, an additional exception to the mandatory grace period of 30 minutes be included, being unauthorized vehicles on a commercial or industry property that interfere with the business operation of the business owners or tenants.”

The following motion placed by Councillor Silva was voted on and lost:

“That the Commissioner of Urban Development Services report to the Planning and Transportation Committee on permitting a 30-minute grace period before issuing a parking ticket to anyone parked on public property over the allotted time.”

(Commissioner, Urban Development Services – March 30, 2001)

(Clause No. 3, Report No. 3)

4.4. Proposed Education Development Charges by the Toronto District Separate School Board

The Planning and Transportation Committee gave consideration to a report (March 15, 2001) from the Commissioner, Urban Development Services advising Council members of the implementation and general content issues with respect to the Education Development Charges By-law proposed by the Toronto Catholic District School Board, forwarding a submission thereon to the Board and the Province, and recommending that:

- (1) the Toronto Catholic District School Board be requested to:
 - (a) delay the adoption of the proposed Education Development Charge By-law in order to allow the City appropriate time to adequately train several staff from a number of departments and divisions involved in the City's role in administering and collecting the charges and in order to develop and put in place the necessary administrative practices and business systems, for at least one month if a non-residential charge is not included, and for at least two months if a non-residential charge is included;
 - (b) amend the proposed Education Development Charges By-law to include grandparenting provisions which exempt from the charges those projects for which complete applications for building permit have been submitted prior to the implementation date for the charges;
 - (c) amend the proposed Education Development Charges By-law to include provisions exempting non-profit housing, non-profit cultural and non-profit institutional uses from Education Development Charges, with non-profit housing being the first priority; and
 - (d) amend the proposed Education Development Charges By-law to exempt industrial uses, as defined in the IT property tax class, from Education Development Charges, and to set a minimal non-residential Education Development Charge rate if such a rate is to be included in the By-law;
- (2) the Province be requested to amend the relevant legislation and regulations applicable to Education Development Charges to:
 - (a) permit differential rates to be levied by dwelling unit type and by non-residential land use;
 - (b) permit delayed implementation of the charges and a graduated, phasing-in of the charges over time;
 - (c) allow school boards greater flexibility in defining, for the purposes of an Education Development Charges By-law, non-residential "gross floor

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area" to more closely conform to municipal Zoning By-law definitions, in consultation with the respective municipalities, and/or explicitly permit the certification of the total chargeable gross floor area by an architect or engineer;

- (d) include mechanisms in the calculation and imposition of Education Development Charges to allow a school board to exempt non-profit housing, non-profit cultural and non-profit institutional uses from the charges without being financially penalized as a result; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Committee also had before it the following reports/communications:

- (March 9, 2001) from the City Clerk, Planning and Transportation Committee as requested by the Planning and Transportation Committee at its Special Meeting on February 19, 2001, forwarding a briefing note (February 25, 2001) prepared by the Chief Financial Officer respecting the Costs of Development in Toronto and submitted by Councillor Moscoe, which the Committee directed be included on this meeting's agenda with a view to recommending that the City aim towards rationalizing development levies for the 2002 budget.
- (March 15, 2001) from Councillor Pantalone advising the Chair of the Toronto Catholic District School Board (TCDSB) that because the implementation date of March 27, 2001 to adopt an Education Development Charge (EDC) By-law does not allow sufficient time for the City to properly prepare to calculate, collect, report, administer and remit the EDC, and because the City of Toronto will not have an opportunity to consider the matter of the proposed EDC By-law and its implications until its next meeting of April 24, 2001, requesting the TCDSB to delay consideration of adopting the EDC By-law by one or two months dependent upon the type of charge to be included in the By-law.
- (March 15, 2001) from the Commissioner, Urban Development Services with respect to Item 4(a), forwarding for information a Briefing Note on development costs in the City of Toronto in the context of the Greater Toronto Area and recommending that the matter of refinement of City of Toronto development levies and charges be referred to the Chief Financial Officer, the Commissioner of Urban Development Services, and the Commissioner of Economic Development, Culture and Tourism for a further report.
- (undated) from Brad Butt, Executive Director, Greater Toronto Apartment Association requesting that the Committee amend Recommendations 1(c) and 2(d) to include properties that qualify under the City of Toronto new multi-residential tax class.

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The following persons addressed the Committee with regard to this matter:

- Julie DiLorenzo, Greater Toronto Home Builders' Association;
- Brad Butt, Executive Director, Greater Toronto Apartment Association; and
- Elizabeth Boyd, Vice-Chair, Toronto Catholic District School Board.

On motion by Councillor McConnell, the Planning and Transportation Committee recommends that the report (March 15, 2001) from the Commissioner of Urban Development Services be adopted subject to:

- (1) amending Recommendation (1)(a) by inserting the words “reconsider its decision not to” at the beginning thereof, so as to read:

“(1) the Toronto Catholic District School Board be requested to:

- (a) reconsider its decision not to delay the adoption of the proposed Education Development Charge By-law in order to allow the City appropriate time to adequately train several staff from a number of departments and divisions involved in the City's role in administering and collecting the charges and in order to develop and put in place the necessary administrative practices and business systems, for at least one month if a non-residential charge is not included, and for at least two months if a non-residential charge is included”; and

On motion by Councillor Silva:

- (2) amending Recommendation 2(b) of the report (March 15, 2001) by deleting the words “over time” and substituting the words “over two years”, so as to read:

“2(b) permit delayed implementation of the charges and a graduated, phasing-in of the charges over two years”.

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

- (1) requested the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Urban Development Services and the City Solicitor, to report thereon to the next meeting of the Policy and Finance Committee on any administrative and systems costs associated with the implementation of Education Development Charges by the Toronto Catholic District School Board (TCDSB), and of potential mechanisms for the City to recover such costs from the TCDSB; and
- (2) requested the Chief Financial Officer and Treasurer, using the Briefing Notes appended to the report (March 9, 2001) from the City Clerk, Planning and Transportation Committee as a basis, to report to the Planning and Transportation Committee on revised development fees for the City of Toronto.

(Policy and Finance Committee, Chief Financial Officer and Treasurer, Commissioner, Urban Development Services, City Solicitor – March 29, 2001)

(Clause No. 4, Report No. 3)

4.5. NOT USED

4.6. Delegated Authority to Execute Consent Agreements

The Planning and Transportation Committee gave consideration to a report (March 13, 2001) from the City Solicitor to ensure that the practices for executing consent agreements are consistent throughout the City and to expedite the process of finalizing consents and recommends that authority for the execution of agreements which are required by the Committee of Adjustment as a condition of a consent decision be delegated to the Chief Planner and this would be consistent with the approach taken by City Council in enacting By-law 229-200, which authorizes the Chief Planner to execute agreements under the Planning Act and recommending that:

- (1) the Chief Planner or his designate be authorized to execute agreements required as a condition of consent where the City has not appealed the decision to the Ontario Municipal Board;

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-
- (2) this authority supersede and replace any policies, authorities or by-laws which existed in the former municipalities; and,
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Silva, the Planning and Transportation Committee recommended to Council that the report (March 13, 2001) from the City Solicitor be adopted subject to adding to Recommendation (1) the words “and that the Chief Planner, or his designate, advise the Ward Councillor before consent is given”, so as to read:

“(1) the Chief Planner, or his designate, be authorized to execute agreements required as a condition of consent where the City has not appealed the decision to the Ontario Municipal Board and that the Chief Planner, or his designate, advise the Ward Councillor before consent is given;”.

On motion by Councillor Pantalone, the Planning and Transportation Committee requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on April 24, 2001 on:

- (a) the question of whether the delegation of the authority to execute consent agreements would empower the Chief Planner to change the conditions put in place by the consent granting authority; and
- (b) a clarification of the involvement of City Councillors in the consent agreements and whether they have any input during the process.

The following motion placed by Councillor Moscoe, was withdrawn:

“that the report (March 13, 2001) from the City Solicitor, be adopted subject to adding a requirement that the Chief Planner be required to consult with the Ward Councillor”

(Commissioner, Urban Development Services, City Solicitor; cc: Chief Planner, Urban Development Services, City Solicitor, Attn: Wendy Walberg – March 30, 2001)

(Clause No. 5, Report No. 3)

4.7. Intergovernmental Co-operation on Property Maintenance and Fencing of Railway and Hydro Lands

The Planning and Transportation Committee gave consideration to a report (February 12, 2001) from the Commissioner, Urban Development Services reporting on Intergovernmental Co-operation on Property Maintenance and Fencing of Railway and Hydro Lands and recommending that this report be received as information.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report (February 12, 2001) back to the Commissioner of Urban Development Services with a request that she:

- (1) review the matter more fully with a view to bringing forward standards for fencing which could be imposed on the railway lands through Committee of Adjustment and rezoning applications, consult with AMO and FCM regarding the provincial downloading issues in order to bring forward accurate information and report to the Planning and Transportation Committee thereon; and

On motion by Councillor Ashton:

- (2) report to the Planning and Transportation Committee on the current status and any changes regarding the Federal Government and the railway companies as it relates to issues regarding the railway corridors within the City as Toronto, such as: maintenance; fencing; signage and rail crossings.

(Commissioner, Urban Development Services – March 29, 2001)

(Clause No. 9(a), Report No. 3)

4.8. Zoning Regulations Affecting ‘Through Lots’ - All Lands within the former City of North York

The Planning and Transportation Committee gave consideration to a report (March 1, 2001) from the Commissioner, Urban Development Services reporting on ‘through lots’ and providing a draft zoning by-law amendment to the former City of North York By-Law No. 7625 that amends the permissive provision allowing either frontage of a ‘through lot’ to be designated as the front lot line. This permissive provision is a

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concern for low density residential infill development and could result in an inappropriate streetscape if a property reorients its front lot line opposite to the surrounding properties, creating a front yard wedged between rear yards, and therefore the flexibility in determining the front lot line should be limited to uses other than one-family, semi-detached, and duplex dwellings, and to give effect to the January 17, 2001 recommendation of the Midtown Community Council, it is recommended that:

- (1) Planning and Transportation Committee consider an amendment to Section 6(20) of the City of North York By-Law No. 7625 substantially in accordance with the draft zoning by-law attached to this report (see Attachment 1). To this effect, the permissive provision for designating the front lot line of a 'through lot' is eliminated for one-family, semi-detached, and duplex dwellings and retained for other land uses;
- (2) the statutory public meeting required under the Planning Act be held at the Planning and Transportation Committee;
- (3) Notice for the Public Meeting under the Planning Act be given, by newspaper advertisement, according to the regulations under the Planning Act; and
- (4) copies of this report be forwarded to Southwest, Midtown, and North Community Councils for comment prior to the holding of the statutory public meeting.

The Committee also had before it the report (January 18, 2001) from the City Clerk, Midtown Community Council advising that the Midtown Community Council at its meeting on January 17, 2001, recommended to the Planning and Transportation Committee that the City-wide by-law review process with respect to through lots proceed as quickly as possible and, in the meantime, Section 6(20) of former North York By-law No. 7625 be amended to eliminate the current permissive approach of establishing the front lot line and that the Commissioner of Urban Development Services be requested to submit a report thereon to the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee adopted Recommendations (2) (3) and (4) of the report (March 13, 2001) from the Commissioner of Urban Development Services and in so doing directed that:

- (1) a statutory public hearing under the Planning Act to consider Zoning Regulations Affecting 'Through Lots' on all lands within the former City of North York be held by the Planning and Transportation Committee for which notice, by newspaper advertisement, will be given; and
- (2) a copy of the report (March 13, 2001) be forwarded to the Southwest, Midtown and North Community Councils for

comment prior to Planning and Transportation Committee conducting the public hearing.

Note: In order for the Community Councils to consider this matter and forward their comments to the Public Hearing to be held by Planning and Transportation Committee, the Community Council meetings will be required to consider this matter at their meetings on May 15 and 16, 2001, and the Public Hearing pursuant to the Planning Act will be held by the Planning and Transportation Committee at its meeting on June 4, 2001.

(South-West Community Council, Midtown Community Council, North Community Council; cc: Commissioner, Urban Development Services, Commissioner, Urban Development Services, Attn: Jeremy Fredrickson, Assistant Planner, North York Civic Centre, City Solicitor – March 29, 2001)

(Clause No. 9(b), Report No. 3)

4.9. New Toronto Secondary Plan Study

The Planning and Transportation Committee gave consideration to a report (February 19, 2001) from the City Clerk, West Community Council advising that the West Community Council at its meeting on February 14, 2001, concurred with the following Recommendations embodied in the report (January 29, 2001) from the Director, Community Planning, West District:

- (1) Urban Development Services staff continue discussions with the various interests in the New Toronto Secondary Plan study area in an effort to address their concerns before recommending a preferred land use scenario;
- (2) Urban Development Services staff report back to Council with a preferred land use option for the New Toronto Secondary Plan area; and
- (3) Community Council forward this report to the Planning and Transportation Committee for information.

and in so doing, directed that the report be forwarded to Planning and Transportation Committee for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (February 19, 2001) from the City Clerk, West Community Council.

(Clause No. 9(c), Report No. 3)

4.10. Bill 137, Proposed Transfer of Service Delivery of Driver Education Services

The Planning and Transportation Committee gave consideration to a report (February 27, 2001) from the Commissioner, Urban Development Services providing background information on Bill 137, being the Road User Customer Service Improvement Act, 2000 and recommending that this report be received for information.

The Committee also had before it a communication (December 15, 2000) from Janet Burgess forwarding, via electronic mail, her grave concerns regarding the proposed Bill 137 as she feels that this bill, if passed and implemented by the Ontario government, could result in dire consequences.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (February 27, 2001) from the Commissioner of Urban Development Services.

(Clause No. 9 (d), Report No. 3)

4.11. Toronto Preservation Board Annual Report

The Planning and Transportation Committee gave consideration to a report (March 7, 2001) from Catherine Nasmith, Chair, Toronto Preservation Board submitting the Annual Report 2000 of the Toronto Preservation Board, and requesting the Planning and Transportation Committee to:

- (1) receive the Annual Report 2000;
- (2) agree to hold a briefing on the Memorandum of Understanding process from all involved;
- (3) ensure prompt action on processing Demolition Control Legislation; and
- (4) the City Clerk provide clerical support to the Toronto Preservation Board.

Councillor Silva assumed the Chair.

On motion by Councillor Pantalone, the Planning and Transportation Committee deferred consideration of this matter to its next meeting on May 7, 2001.

Councillor Pantalone resumed the Chair.

(Ms. Catherine Nasmith, Chair, Toronto Preservation Board; cc: Commissioner, Economic Development, Culture and Tourism – March 30, 2001)

(Clause No. 9(e), Report No. 3)

4.12. Membership Adjustments for Citizen Members to Community LACAC Panels

The Planning and Transportation Committee gave consideration to a report (February 22, 2001) from Catherine Nasmith, Chair, Toronto Preservation Board advising that Council, at its meeting on January 30 and 31 and February 1, 2001 appointed Council members to serve on the Community LACAC Panels to suit the new Community Council boundaries, and that Council, previous to this, appointed citizen members of the Community LACAC panels until November 30, 2003 according to the former Community Council boundaries, and recommending that:

- (1) the existing Community LACAC Panels (CLP) continue to meet as established under the former Community Council boundaries until their membership is realigned. This respects Council's decisions regarding both the CLPs and the Community Council boundaries and common practices followed by previously established boards including the Committee of Adjustment;
- (2) in conjunction with the existing CLP members, the Toronto Preservation Board to review and report to Community Councils for the re-distribution of the already appointed CLP members;
- (3) if a new CLP is oversubscribed, the affected Community Council would select CLP members from those expressing an interest in serving;
- (4) any vacancies identified or created by the re-distribution would be appointed by Council as per current policy and practice firstly by referring to applications on file for the Community Council area, if any, and, secondly, by advertising for members to fill vacancies; and
- (5) until the members have been re-assigned to suit new Community Council boundaries, and any vacancies filled, the Councillors appointed to the new CLP would be invited to attend meetings of the existing CLP as they appear to correspond.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommends the adoption of the following Recommendation (1) of the report (February 22, 2001) from the Chair, Toronto Preservation Board:

“(1) The existing Community LACAC Panels (CLP) continue to meet as established under the former Community Council boundaries until their membership is realigned. This respects Council’s decisions regarding both the CLPs and the Community Council boundaries and common practices followed by previously established boards including the Committee of Adjustment;”

On motion by Councillor Moscoe, the Planning and Transportation Committee deferred consideration of the remaining Recommendations (2), (3), (4) and (5) of the report (February 22, 2001) from the Chair, Toronto Preservation Board to its next meeting on May 7, 2001 and requested the Chief Financial Officer and Treasurer to report to that meeting on the redistribution of the budgets of Community LACAC Panels to correspond with their wards under the new Community Council boundaries.

(Chief Financial Officer and Treasurer; cc: Ms. Catherine Nasmith, Chair, Toronto Preservation Board, Commissioner, Economic Development, Culture and Tourism – March 30, 2001)

(Clause No. 6, Report No. 3)

4.13. Options for Inter-Modal Transportation Connections in the City of Toronto

The Planning and Transportation Committee gave consideration to a report (February 28, 2001) from the General Secretary, Toronto Transit Commission advising that the Toronto Transit Commission at its in camera meeting on February 27, 2001 received for information a confidential memorandum dated February 27, 2001 from the Chief General Manager entitled “Status of Union Station Project” and recommended to the City of Toronto that within the reconstruction of Union Station it make provision for an inter-modal transportation connection for taxis.

The Committee also had before it the following communications:

- (February 27, 2001) from Councillor Moscoe advising that the use of taxis as an alternative mode of transportation to the motor car has been overlooked by City planners, that there are over 3,000 taxis in the City of Toronto but few cab stands downtown, and providing suggestions which include:
 - preparing an inventory of taxi stand spaces in Toronto;
 - establishing planning standards to require developers of large buildings to provide a go-through for taxis;

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- requiring all transportation facilities to provide for inter modal connections;
 - establishing a taxi stand at Queen's Park; and
 - establishing planning requirements to provide for taxi stands at subway stations;

and requesting the Commissioner of Urban Development Services to submit a comprehensive report on this report to the Planning and Transportation Committee.

- (March 23, 2001) from Jim Bell, President, Toronto Taxicab Alliance supporting the Toronto Transit Commission initiative in recognizing and accommodating the public's need for taxicab service from transportation connection hubs, and Councillor Moscoe's initiatives in assessing the current status of available taxicab stand spaces and establishing criteria standard which would include providing easy access taxi stand space facilities for the taxi industry and the riding public.
- (March 25, 2001) from Ian Allaby requesting that Urban Planning and Development Services prepare a plan for the upgrading of, and the application of design criteria to, the city's taxi stands.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the reports (February 28, 2001) from the General Secretary, Toronto Transit Commission, the report (February 27, 2001) from Councillor Moscoe and other related material to the Commissioner of Urban Development Services with a request that she report back to the Planning and Transportation Committee on the inclusion of a provision for an intermodal transportation connection for taxis into the reconstruction plans for Union Station.

(Commissioner, Urban Development Services; cc: General Secretary, Toronto Transit Commission, Councillor Moscoe, Interested Persons – March 29, 2001)

(Clause No. 9(f), Report No. 3)

4.14. TTC Staff Position on Bus Bays

The Planning and Transportation Committee gave consideration to a report (January 26, 2001) from the General Secretary, Toronto Transit Commission advising that the Toronto Transit Commission, at its meeting on January 25, 2001, adopted the recommendations of the report (January 25, 2001) attached thereto respecting the TTC's Staff Position on Bus Bays and approved the following motions, which were forwarded to the Planning and Transportation Committee for consideration:

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- (1) that the TTC undertake, in co-operation with City Transportation Officials, a review of all existing bus bays with a view to classifying those which are acceptable and targeting those for removal when roads are re-constructed; and further that this motion be forwarded to the City Planning and Transportation Committee for their consideration;
- (2) that TTC staff prepare a policy statement on traffic calming and speed humps on transit routes; and
- (3) that TTC staff report back on the condition of streetcar islands and a possible standard for their maintenance.

The Committee also had before it the following communications:

- (March 23, 2001) from Helen Riley, Feet on the Street supporting the TTC position on removal of bus bays wherever possible .
- (March 26, 2001) from Rhona Swarbrick recommending the Planning and Transportation Committee request the TTC to comment on modifications to the present standards for the construction of bus bays

Rhona Swarbrick addressed the Committee with regard to this matter:

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

- (1) received for information the following motion from the TTC:
 - “1. That the TTC undertake, in co-operation with City Transportation Officials, a review of all existing bus bays with a view to classifying those which are unacceptable and targeting those for removal when roads are re-constructed; and further that this motion be forwarded to the City Planning and Transportation Committee for their consideration.”; and
- (2) requested the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services and the TTC, to report to the Planning and Transportation Committee on the establishment of criteria and a classification system that

would evaluate the appropriateness of bus bays on Toronto's road systems.

(General Secretary, Toronto Transit Commission, Commissioner, Urban Development Services, Commissioner, Works and Emergency Services; cc: Interested Persons – March 30, 2001)

(Clause No. 9(g), Report No. 3)

4.15. Extension of 404 Highway

The Planning and Transportation Committee gave consideration to the following Notice of Motion (undated) from Councillor Moscoe:

“Whereas the Province of Ontario has announced its intention to extend the 404 Highway north of Newmarket; and

Whereas it has been proved that throughout the world a creation of new highways creates additional traffic that would not otherwise be generated; and

Whereas the extension of 404 will facilitate the development of low density urban sprawl on the Oak Ridges Moraine and the agricultural areas to the north; and

Whereas the extension of urban sprawl will result in additional automobile traffic clogging the roads into the Greater Toronto area;

Therefore be it resolved that the City of Toronto is opposed to the extension of Highway 404; and

Be it further resolved the City of Toronto requests that if the Province is to proceed with the extension of Highway 404 the City of Toronto is hereby requesting a full scale environmental assessment and hearing to address the following issues:

- (1) the alternatives to Highway 404 including an expansion of the public transit system; and
- (2) that any such environmental assessment examine the advisability of imposing tolls on any extension of Highway 404 to minimize the impact on the taxpayers in the GTA and to discourage commuter use on any extension.”

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report from Councillor Moscoe to the Commissioner of Urban Development Services with a request that

she report further on this matter to the Committee's next meeting on May 7, 2001.

(Commissioner, Urban Development Services; cc: Councillor Moscoe – March 29, 2001)

(Clause No. 9(h), Report No. 3)

4.16. Elimination of Mandatory Use of Trip Sheets by Taxi Drivers

The Planning and Transportation Committee gave consideration to the following Notice of Motion (undated) from Councillor Moscoe:

“Whereas taxi drivers have been required since 1952 to fill out a daily trip sheet; and

Whereas cumulatively, hundreds of hours of time are wasted filling out trip sheets; and

Whereas the value of the information collected and the extent to which it is used is questionable; and

Whereas the accuracy of trip sheets has been suspect for many years;

Therefore be it resolved that the taxi bylaw be amended to eliminate the mandatory use of trip sheets; and

Be it further resolved that this matter be referred to the Taxi Advisory Committee for their comments prior to the Planning and Transportation Committee's final determination.”

The Committee also had before it a communication (March 23, 2001) from Jim Bell, President, Toronto Taxicab Alliance opposed to the elimination of the mandatory use of trip sheets for drivers proposed by Councillor Moscoe.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report from Councillor Moscoe to both the Licensing Sub-Committee and the Taxi Advisory Committee with a request that the Taxi Advisory Committee forward its comments to the Licensing Sub-Committee for subsequent submission to Planning and Transportation Committee.

(Licensing Sub-Committee, Taxi Advisory Committee; cc: Councillor Moscoe, Jim Bell, President, Toronto Taxicab Alliance – March 29, 2001)

(Clause No. 9(i), Report No. 3)

4.17. Toronto Cycling Committee

The Planning and Transportation Committee gave consideration to a report (March 6, 2001) from the City Clerk, Toronto Cycling Committee forwarding action taken by the Toronto Cycling Committee at its meeting on February 19, 2001 and recommending that:

- (1) the Terms of Reference of the Toronto Cycling Committee be amended as noted in the transmittal letter from the City Clerk:
- (2) the Basic Information and Requirements for Appointment to the Toronto Cycling Committee, as written into the Terms of Reference of the Toronto Cycling Committee, be approved to read as noted in the transmittal letter from the City Clerk; and
- (3) CAN-BIKE Instructors, whose only employment with the City of Toronto is as a CAN-BIKE Instructor, be allowed membership to the Toronto Cycling Committee contrary to the City policy of not allowing employees of the Corporation appointment to its Committees, and advising that, if approved membership to the Toronto Cycling Committees, CAN-BIKE Instructors would declare a conflict of interest, and refrain from the discussion and voting on the matter under deliberation by the Toronto Cycling Committee that relate to the duties of a CAN-BIKE Instructor.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to Council the adoption of the recommendations of the Toronto Cycling Committee contained in the transmittal letter (March 6, 2001) from the City Clerk.

(Clause No. 7, Report No. 3)

4.18. Sign Permit Fees

The Planning and Transportation Committee gave consideration to a report (March 20, 2001) from Councillor Pantalone recommending that:

- (1) all Sign Permit Fees in the City of Toronto be raised by 5% for the year 2001; and
- (2) the Commissioner of Urban Development Services report directly to the Budget Advisory Committee Wrap Up Meeting on March 30, 2001 as to the additional funds that would be so raised.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that all Sign Permit Fees in the City of

Toronto be raised by 5% for the year 2001, and requested the Commissioner of Urban Development Services to report directly to the Budget Advisory Committee's Wrap Up Meeting on March 30, 2001 as to the additional funds that would be so raised.

(Budget Advisory Committee; cc: Chief Financial Officer and Treasurer – March 28, 2001)

(Clause No. 9(j), Report No. 3)

4.19. Bloor Viaduct Luminous Veil

The Planning and Transportation Committee gave consideration to a report (March 23, 2001) from Councillor Layton advising the Bloor Viaduct Implementation Committee at its meeting on March 23, 2001 to continue the exploration of alternative locations for signage, recommended that:

- (1) the Commissioner of Works and Emergency Services explore with the contractor and report directly to Council on the possibility of phasing the construction of the Luminous Veil into two stages with the first phase to include a field survey and the prefabrication of the Veil, and the second phase be the actual onsite construction;
- (2) the Commissioner of Works and Emergency Services, representatives from TRIBAR and the Implementation Committee to continue to work collaboratively to find alternative locations for signage;
- (3) as suggested by Councillor Minnan-Wong, that the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture and Tourism be invited to participate in the Implementation Committee to identify other possible locations in City owned properties that could meet the requirements of the contribution proposal; and
- (4) the respective ward councillors will be notified as soon as potential sites have been identified for investigation.

The Committee also had before it the following communications:

- (March 23, 2001) from Dereck Revington, Dereck Revington Studio requesting that efforts be made to secure an agreement and commence work as soon as possible.
- (March 25, 2001) from Vee Ledson recommending that the City proceed without delay in the construction of the Luminous Veil.

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Councillor Silva assumed the Chair.

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

(1) recommended to Council the adoption of the following Recommendations (2), (3) and (4) of the report (March 23, 2001) from Councillor Layton:

“(2) the Commissioner of Works and Emergency Services, representatives from TRIBAR and the Implementation Committee continue to work collaboratively to find alternative locations for signage;

(3) as suggested by Councillor Minnan-Wong, that the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture and Tourism be invited to participate in the Implementation Committee to identify other possible locations in City owned properties that could meet the requirements of the contribution proposal; and

(4) the respective ward councillors will be notified as soon as potential sites have been identified for investigation.”

(2) amended Recommendation (1) of the report (March 23, 2001) from Councillor Layton by adding the words “in consultation with the City Solicitor” after the words “Commissioner of Works and Emergency Services”, and in so doing requested to the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, to explore with the contractor and report directly to Council on the possibility of phasing the construction of the Luminous Veil into two states with the first phase to include a field survey and the prefabrication of the Veil, and the second phase to be the actual onsite construction;”

Councillor Pantalone resumed the Chair.

(Commissioner of Works and Emergency Services, City Solicitor – April 2, 2001)

(Clause No. 8, Report No. 3)

The meeting adjourned at 5:55 p.m.

Chair