

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 8

Tuesday, September 11, 2001

The Planning and Transportation Committee met on September 11, 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	X
Councillor Brian Ashton	X	X
Councillor Joanne Flint	X	X
Councillor Pam McConnell	X	X
Councillor Peter Milczyn	X	X
Councillor Howard Moscoe	-	-

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

None declared.

Confirmation of Minutes

On motion by Councillor Milczyn, the minutes of the meeting of the Planning and Transportation Committee held on July 3, 2001, were confirmed.

8.1 Harmonization of the Sign By-law concerning Posters on Public Property, including Signs on Utility Poles

The Planning and Transportation Committee gave consideration to a report (May 10, 2001) from the Commissioner, Urban Development Services reporting on the harmonization of the Sign By-law concerning posters on public property, including signs on utility poles, and recommending that:

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- (1) this report be received and forwarded to the Community Councils for their consideration; and
- (2) a date be set for a public meeting at the Planning and Transportation Committee to consider the draft by-law and that notice of the public meeting be given in accordance with the requirements of the Municipal Act.

The Committee also had before it the following material:

- report (May 29, 2001) from the City Solicitor advising on the City's ability to regulate posters on public property, including signs on utility poles, and recommending that this report be received for information;
- transmittal letter (July 13, 2001) from the Acting City Clerk, Etobicoke Community Council advising that Etobicoke Community Council, at its meeting on July 11, 2001:
 - (1) endorsed the draft harmonized sign by-law concerning posters on public property including signs on utility poles, embodied in the report (May 10, 2001) from the Commissioner, Urban Development Services; and
 - (2) directed that the Planning and Transportation Committee be advised accordingly;
- transmittal letter (July 13, 2001) from the Acting City Clerk, Midtown Community Council advising that Midtown Community Council, at its meeting on July 10, 2001, recommended the adoption of the draft harmonized Sign By-law contained in the report (May 10, 2001) from the Commissioner, Urban Development Services;
- transmittal letter (August 2, 2001) from the Acting City Clerk, Humber York Community Council advising that Humber York Community Council, at its meeting on July 10, 2001, recommended that the Planning and Transportation Committee be advised that it concurs with the report (May 10, 2001) of the Commissioner, Urban Development Services;
- transmittal letter (July 18, 2001) from the Acting City Clerk, North York Community Council advising that North York Community Council, at its meeting on July 11, 2001, recommended to the Planning and Transportation Committee that:
 - (1) posters on public property including signs on Utility Poles be allowed within the North York Community Council geographic boundary area

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only in those areas identified in the existing Schedule "B" attached to the former City of North York Sign By-law; and

- (2) that the Planning and Transportation Committee be advised that the North York Community Council does not support any reduction in the restrictions for posting illegal signs or any reduction in the enforcement of the sign by-law;

- transmittal letter (July 13, 2001) from the Acting City Clerk, Scarborough Community Council advising that Scarborough Community Council, at its meeting on July 10, 2001, did not support the recommendations in the report (May 10, 2001) from the Commissioner of Urban Development Services, such position having been taken by unanimous vote of the members present and voting, and recommended that:

- (1) the Commissioner of Urban Development Services be requested to report to Planning and Transportation Committee on the following:

- (a) an analysis of the costs and advantages of phasing in a system modelled after the former City of Scarborough's system of utilizing pole collars;

- (b) options to ensure effective enforcement of the new by-law, including greater enforcement capability, removal of illegal signs, including a calculation showing increased revenues from enforcement, and mobilization of private residents and groups to remove illegal signs and the costs and resources required to ensure effective enforcement; and

- (c) if the pole collars are shown to be cost-prohibitive, the Commissioner report on an alternate method of designating poles by painting or providing some other method of marking to indicate where posters are permitted; and

- (2) the Commissioner be requested to ensure that notice of the public meeting to be held on September 11, 2001, at Planning and Transportation Committee is advertised in the local community newspapers;

- transmittal letter (July 17, 2001) from the Acting City Clerk, Toronto East York Community Council advising that Toronto East York Community Council, at its meeting on July 10, 2001, recommended to the Planning and Transportation Committee the adoption of the draft by-law appended to the report (May 10, 2001) from the Commissioner of Urban Development Services;

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- report (August 15, 2001) from the Commissioner, Urban Development Services reporting on the feasibility of the City to license and regulate commercial sign installers and sign posters to install signs other than community signage, such as that relating to garage sales, and recommending that:
 - (1) Council direct the Commissioner of Urban Development Services to prepare a Schedule to By-law 574-2000 regarding commercial sign installers; and
 - (2) Council endorse the workplan as set out in the report;
- confidential report (September 5, 2001) from the City Solicitor respecting election signs on utility poles having regard that the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- communication (September 6, 2001) from Briar de Lange, General Manager, Bloor-Yorkville Business Improvement Area proposing an amendment to the draft by-law to prohibit the placement of posters on any pole, which is clearly identified as private property and owned by a local Business Improvement Area; and
- communication (September 10, 2001) from K. Dunsmore, President, Don Mills Residents Inc., forwarding comments regarding the harmonization of the Sign By-law.

The Committee reported to Council that pursuant to the Municipal Act, notice with respect to the proposed enactment of by-law amendments was advertised in a daily newspaper on August 16, 2001 and the following persons addressed the Planning and Transportation Committee.

- Briar de Lange, Bloor-Yorkville B.I.A.; and
- Ken Dunsmore, Don Mills Residents Incorporated.

The Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that:

on motion by Councillor Flint that:

- (1) the draft by-law, appended to the report (May 10, 2001) from the Commissioner of Urban Development Services be adopted, subject to amending the by-law by ensuring that identification of the advertiser is provided in some form on posters, and that authority

be granted for the introduction of the necessary bill in Council to give effect thereto; and

- (2) the confidential report (September 5, 2001) from the City Solicitor, be adopted and in accordance with the provisions of the Municipal Act, discussions pertaining to this report be held in-camera, having regard that the subject matter relates to litigation or potential litigation;

on motion by Councillor Pantalone the report (August 15, 2001) from the Commissioner, Urban Development Services be adopted which recommends that:

- (a) the Commissioner of Urban Development Services be directed to prepare a Schedule to By-law 574-2000 regarding commercial sign installers;
- (b) Council endorse the workplan as set out in the report; and

on motion by Councillor Ashton, requested the Commissioner of Urban Development Services to report directly to City Council for its meeting on October 2, 2001 on a staffing model and resources required to enforce this by-law.

(Commissioner of Urban Development Services - September 17, 2001)

(Clause No. 1, Report No. 10)

8.2 Enactment of a Municipal Shelter By-law

The Planning and Transportation Committee gave consideration to a report (July 30, 2001) from the Commissioner of Urban Development Services forwarding a report regarding the enactment of a Municipal Shelter By-law. A municipal shelter is a supervised residential facility, operated by or for the City of Toronto, or by an agency of the City, providing short-term emergency accommodation and associated support services. The report presents a draft By-law, for consultation and public input, which permits municipal emergency shelters in all zones or districts in the City, provided any new buildings or additions comply with all other applicable zoning provisions of the zone or district and recommending that City Council:

- (1) enact a Municipal Shelter By-law substantially in accordance with the draft By-law appended as Attachment 1; and

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- (2) authorize the appropriate City Officials to take the necessary action to give effect thereto, including making any unsubstantive technical, stylistic or format changes to the proposed Municipal Shelter By-law as may be necessary.

The Committee also had before it the following material:

- Notice of the Public Meeting under the Planning Act (August 10, 2001);
- report (August 26, 2001) from the Acting Commissioner of Community and Neighbourhood Services reviewing the criteria used in the process of identifying potential sites for emergency shelter development and the process used for notifying Councillors when an emergency shelter site is proposed for their Ward, and recommending that this report be received for information;
- communication (September 9, 2001) from William deBacker, President, Edithvale-Yonge Community Association, proposing that the Emergency Shelter By-law be modified to prohibit no more than two such facilities within 500 metres of each other;
- communication (September 8, 2001) from the North Riverdale Resident's Association opposing the new by-law amendment in its current form;
- communication (undated) from Ralph Wissborn, President, West Rouge Community Association, opposing the new amendments to the Municipal Emergency Shelter By-law;
- communication (September 7, 2001) from Carol Seljak, Bloor-Dufferin Residents Committee, opposing the new amendments to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Colin F. Caie supporting the change to the Municipal Emergency Shelter By-law;
- communication (September 10, 2001) from Debrah and Joel Weiss requesting that the amendment be referred back for further consideration;
- communication (September 10, 2001) from Andrew Brodie, Coldwell Banker Pinnacle R.E., forwarding comments respecting the Emergency Shelter By-law;
- communication (September 7, 2001) from Denisa Krga requesting that the proposed amendment to the by-law to facilitate shelter housing be redrafted as the current changes do not offer specific definitions as to its intended uses;

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- communication (undated) from David Vallance, Acting Chair, The Confederation of Resident & Ratepayer Associations (CORRA)(Toronto), opposing the proposed Municipal Emergency Shelters By-law;
- communication (September 10, 2001) from Brian Maguire, Secretary, North Hill District Home Owners' Association, requesting that the proposed By-law be redrafted to be more specific than its current wording;
- communication (undated) from David Vallance forwarding comments respecting the proposed Emergency Shelters By-law;
- communication (September 10, 2001) from Don Purvis, Chair, Seaton Ontario Berkeley Residents Association Inc. (S.O.B.R.A.), supporting the proposal for the fair share and distribution of Hostels and Support Services throughout the Mega City;
- communication (September 11, 2001) from Peter Smith, Co-Chair, Portlands Citizen Action Committee, opposing the staff report and draft by-law;
- communication (undated) from the Children's Aid Society of Toronto supporting the report to amend City zoning to permit municipally funded emergency shelters in all zones and districts of the City;
- communication (September 11, 2001) from Councillor Prue recommending that:
 - (1) the City be mapped and divided into designated areas for the purposes of planning shelter locations;
 - (2) all current supportive housing, low-rent units, half-way homes and other shelters be mapped with these designated areas;
 - (3) a maximum mix of supportive housing, low-rent units, half-way homes and other shelters be determined for each of these designated areas of the City and that once that level has been reached, that no additional units of this nature be permitted within a one kilometre radius;
- communication (undated) from Elizabeth Borek opposing the proposed by-law amendment;
- communication (September 11, 2001) from Doug Hum, Etobicoke Lakeshore Housing Task Force, supporting by-law changes that would remove barriers to providing shelters to those in need;

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- Motion (undated) regarding a proposed amendment to the Municipal Shelter By-law, as follows:

For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a facility approved by the City of Toronto that is operated by a charitable organization, which provides short-term emergency accommodation and associated support services; and

- communication (undated) from Dalton C. Shipway requesting that environmentally sensitive areas and tree planting sites be added to the criteria.

The Committee held a statutory public hearing on September 11, 2001 and advised that appropriate notice of this meeting was given in accordance with The Planning Act and the regulations thereunder and the following persons addressed the Committee:

- Perry Missell, Toronto East District Neighbourhood Association, spoke in support of the enactment of a Municipal Shelter By-law and indicated willingness to act in a reference capacity;
- Carol Seljak, Bloor Danforth Residents Committee, stated that the draft By-law required further work, and expressed concern regarding the lack of definitions in the draft by-law, the lack of community consultation in the process, and the lack of accountability;
- Brian V. Ralph, Portlands Citizen Action Committee, urged the Committee not to adopt the staff reports and draft by-law on municipal emergency shelters and requested that, should the Committee determine that the by-law may have merit, the matter be sent back to staff for a comprehensive review, which should include consultations with community groups;
- Barbara Silverstein urged the Committee to refer the matter back to staff for further review because there is no criteria set out in the By-law and no definition of what is "fair share". She indicated the by-law sets a precedent which amounts to poor planning, and the onus for good planning should not rest with City officials;
- Ann Fitzpatrick, Children's Aid Society of Toronto, spoke in support of the report and the enactment of a municipal shelter by-law because it provides an effective strategy to achieve Council resolutions regarding fast tracking shelter development, meeting targets of shelter development and maintaining 90% occupancy levels in shelters. Ms. Fitzpatrick urged Councillors to take an active role in finding sites in their Wards;

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- Albert Storchak urged the Committee not to adopt the by-law and stressed that models for shelters should be re-examined so that the needs of children are taken into consideration since the location of shelters has an impact on local schools;
- Collette Skelly stated that the draft by-law on municipal shelters is flawed and should be referred back. The draft by-law in its present form would allow shelters to be placed beside small houses and would, therefore, disregard planning principles;
- Mardi Noble spoke in opposition to the draft by-law on municipal shelters indicating that the draft by-law is flawed because there is no regard for zoning and planning principles, and no forum for discussion or accountability;
- Maureen Gilroy spoke in opposition to the draft by-law on municipal shelters and requested that it be referred back for revision. The by-law strips citizens and elected officials of their power and places it in the hands of bureaucrats. Community consultation will change to community notifications. The Committee was urged to place power back in the hands of citizens by having elected officials consult with citizens;
- Elizabeth Borek spoke in opposition to the draft by-law and urged the Committee to refer the draft by-law back because it disregards planning principles and places power in the hands of bureaucrats, is vague, has no set criteria, does not include definitions of what specific terms mean, will divide communities, is not cost effective and is not user friendly;
- Lillian Adamakis spoke in opposition to the draft by-law and stated that, because there is a lack of data with regard to shelters, analysis of shelters becomes difficult. The Committee was urged to reject the draft by-law because it was unnecessary and undemocratic. Rent subsidy was presented as a solution;
- Debbie Blythe spoke in opposition to the draft by-law and urged that it be referred back to the Commissioner of Urban Development Services. Some current shelters are not coordinated and are not well managed. Shelters need to be better managed and affordable housing is needed;
- Laurie McGugan urged the Committee to refer the draft by-law back for further review because it is flawed. Issues of concern are lack of definitions, lack of models for shelters, no indication as to whether all shelters should have services on site. Size and location are important factors for family shelters, number of beds need to be stated and security requirements. The draft by-law places too much decision-making in the hands of staff. Concern was expressed about lack of notification and no meaningful voice in the process;

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- Andrew Bodie urged the Committee to defer decision-making on this issue as part of the overall process of the new Official Plan deliberations. Concerns were expressed regarding unknown costs in connection with the draft By-law and the arbitrary terms of the draft By-law. It was suggested that the emergency facilities contain no more than twelve beds;
- Doug Hum, Etobicoke Lakeshore Housing Task Force, spoke in support of the draft By-law and stated that homelessness is a stark reality. Shelters are a first step and need to be provided so the homeless do not perish because of the cold;
- Bruce Davis, Executive Vice-President, Urban Intelligence Inc., spoke on behalf of the Canadian Red Cross Society in support of the draft By-law and submitted a proposed amendment to the By-law which defines the term "Municipal Shelter";
- Alex St. Germain, Drop-in Co-ordinator, Toronto Christian Resource Centre, spoke in support of the draft By-law and expressed the hope that the City can expedite the shelters because winter is approaching; and
- Carmen Hili, Christian Resource Centre, spoke in support of the draft By-law and in support of consultation within the community. Concern was expressed regarding very little housing being built; shelters were proposed as the second best option.

The Planning and Transportation Committee, based on the findings of fact and recommendations contained in the report (July 30, 2001) from the Commissioner of Urban Development Service:

on motion by Councillor McConnell:

- (1) recommended to City Council, for its meeting on October 2, 2001 that this report be adopted; and
- (2) referred the following amendment to the draft by-law proposed by Urban Intelligence Inc. to the Commissioner of Urban Development Services with a request that she report, in consultation with the City Solicitor, directly to City Council for its meeting on October 2, 2001 on the legal implications of this proposed by-law amendment, whether there are any concerns regarding its implementation and provide appropriate wording for incorporation into the by-law:

"For the purposes of this By-law, Municipal Shelter means a supervised residential facility, operated by or for the City of Toronto, or any agency of the City of Toronto, or a

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facility approved by the City of Toronto that is operated by a charitable organization, which provides short-term emergency accommodation and associated support services.”; and

requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on October 2, 2001 on:

- (a) on motion by Councillor Pantalone, amending the draft by-law by stating that emergency shelters not be located in floodplains nor the interior of industrial parks; and
- (b) on motion by Councillor Milczyn, the viability of limiting the distances between shelters if more than one shelter is situated in a community, and provide comments on suggested limiting distances such as 150 metres, 300 metres, 450 metres and so forth.

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

“That the draft by-law be referred back to the Commissioner of Urban Development Services with a request that a further report be prepared which addresses the concerns raised by deputants and including, but not limited to, the types of shelters, their size, site plan conditions, transit concerns.”

The motion to adopt the report (July 30, 2001) from the Commissioner of Urban Development Services carried on the following division of votes:

Yeas: Councillor McConnell
Councillor Milczyn
Councillor Pantalone
Councillor Silva

Nays: Councillor Altobello
Councillor Ashton
Councillor Flint

(Commissioner, Urban Development Services; cc: City Solicitor - September 17, 2001)

(Clause No. 2, Report No. 10)

8.3 Parc Downsview Park Inc. Operating Protocol Agreement, File UD03 PDP (Ward 9 - York Centre)

The Planning and Transportation Committee gave consideration to a joint report (July 31, 2001) from the Commissioner, Urban Development Services; Commissioner, Works and Emergency Services and the City Solicitor seeking Council direction to enter into discussions regarding the establishment of an operating protocol agreement with Parc Downsview Park Inc., a crown corporation set up to administer federal lands within the Downsview Secondary Plan area, and recommending that:

- (1) the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services and the City Solicitor establish a Steering Committee of relevant City staff to enter into negotiations with Parc Downsview Park Inc. and, if appropriate, the Department of National Defense, regarding an operating protocol agreement respecting land use, development and municipal servicing for relevant lands within the Downsview Area Secondary Plan; and
- (2) the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, Chief Financial Officer and Treasurer or the City Solicitor, as the case may, report back on this matter to the appropriate Standing Committee(s) of Council when negotiations have significantly advanced.

On motion by Councillor Ashton, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, the adoption of the joint report (July 31, 2001) from the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services and the City Solicitor.

(Clause No. 3, Report No. 10)

8.4 City Centre West (Kipling-Islington) - Secondary Plan Directions Report

The Planning and Transportation Committee gave consideration to a report (August 17, 2001) from the Commissioner of Urban Development Services making recommendations to Council regarding further steps in the review of the Kipling-Islington City Centre Secondary Plan, presenting the City Centre West Secondary Plan Directions Report, and recommending that:

- (1) City Council endorse the planning direction and proposals outlined in the City Centre West Secondary Plan Directions Report (Attachments 1 and 2);

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- (2) the Commissioner of Urban Development Services carry out a public consultation process during the fall of 2001 to solicit comment on the City Centre West Secondary Plan Directions Report that would include area ratepayer groups, residents, the Islington Village BIA and other local business owners, landowners/developers, social service agencies and other special interest groups;
- (3) the Commissioner of Urban Development Services carry out consultations on the City Centre West Secondary Plan Directions Report with City departments and public agencies;
- (4) the review of site specific development applications within the Secondary Plan area be informed by the direction of the City Centre West Secondary Plan Directions Report;
- (5) staff be authorized to prepare a draft secondary plan and draft implementing zoning by-law consistent with the direction provided by the City Centre West Secondary Plan Directions Report and the results of public, departmental and agency consultation; and
- (6) Planning and Transportation Committee forward this report to Etobicoke Community Council for their review and comments to City Council.

The Committee also had before it a communication (September 11, 2001) from Councillor Milczyn recommending that Recommendation No. 1 be amended by deleting the word planning and inserting the word strategic, and adding additional wording so that the recommendation shall read:

"City Council endorse the strategic direction and proposals outlined in the City Centre West Secondary Plan Directions Report, and give consideration to the specific direction on the increase in densities contained in the report subject to the consultation processes outlined below."; and

adding the following further recommendations:

- (7) City Council direct staff to proceed on designating the area of the Secondary Plan as a Community Improvement Area. That staff also proceed with establishing a steering committee composed of City staff, local residents, and local business people to lead the development of a Community Improvement Plan;
- (8) City Council direct the Works & Emergency Services Department and Urban Development Department to conduct a detailed study of the preferred re-configuration of the Six Points interchange;

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- (9) City Council direct staff to begin the development of a Community Services Plan. That staff also proceed with establishing a steering committee composed of City staff, local residents, local business owners, and service providers to lead the development of a Community Services Plan;
- (10) City Council direct staff to give equal consideration to both the Westwood Theatre site and the Islington Subway Station site as potential locations for a municipal government building;
- (11) City Council direct Economic Development Division staff to provide comments on the potential of office and commercial development within the Secondary Plan area and recommendations on a marketing and promotion campaign to attract office development to the area;
- (12) that the Map in Figure 5 be amended to indicate the density of the parcel of land bounded by Burnhamthorpe Crescent on the north and east, Burnhamthorpe Road on the west, and the abutting public laneway and property lines to the south to be no more than 2.0 FSI; and
- (13) that the Secondary Plan Area be renamed the Etobicoke City Centre.

On motion by Councillor Milczyn, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that the report (August 17, 2001) from the Commissioner of Urban Development Services be adopted, subject to:

- (1) amending Recommendation (1) by deleting the word “planning” and substituting the word “strategic” and adding the following “and give consideration to the specific direction on the increase in densities contained in the report subject to the consultation processes outlined below.”; and
- (2) adding seven additional Recommendations listed as Recommendations (6) to (12) in the following consolidated recommendations:
 - “(1) City Council endorse the strategic direction and proposals outlined in the City Centre West Secondary Plan Directions Report (Attachments 1 and 2), and give consideration to the specific direction on the increase in densities contained in the report subject to the consultation processes outlined below.”;

- (2) the Commissioner of Urban Development Services carry out a public consultation process during the fall of 2001 to solicit comment on the City Centre West Secondary Plan Directions Report that would include area ratepayer groups, residents, the Islington Village BIA and other local business owners, landowners/developers, social service agencies and other special interest groups;
- (3) the Commissioner of Urban Development Services carry out consultations on the City Centre West Secondary Plan Directions Report with City departments and public agencies;
- (4) the review of site specific development applications within the Secondary Plan area be informed by the direction of the City Centre West Secondary Plan Directions Report;
- (5) staff be authorized to prepare a draft secondary plan and draft implementing zoning by-law consistent with the direction provided by the City Centre West Secondary Plan Directions Report and the results of public, departmental and agency consultation;
- (6) the Commissioner of Urban Development Services be directed to:
 - (a) proceed with designating the area of the Secondary Plan as a Community Improvement Area; and
 - (b) establish a steering committee composed of City staff, local residents, and local business people to lead the development of a Community Improvement Plan;
- (7) the Commissioner of Works & Emergency Services and the Commissioner of Urban Development Services be requested to conduct a detailed study of the preferred re-configuration of the Six Points interchange;
- (8) the Commissioner of Urban Development Services be directed to:
 - (a) begin the development of a Community Services Plan; and

- (b) establish a steering committee composed of City staff, local residents, local business owners, and service providers to lead the development of a Community Services Plan;
- (9) the Commissioner of Urban Development Services, in consultation with appropriate staff, be directed to give equal consideration to both the Westwood Theatre site and the Islington Subway Station site as potential locations for a municipal government building;
- (10) the Commissioner of Economic Development, Culture and Tourism be directed to provide comments on the potential of office and commercial development within the Secondary Plan area and recommendations on a marketing and promotion campaign to attract office development to the area;
- (11) that the Map in Figure 5 of the report titled "City Centre West Secondary Plan – Directions Report", be amended to indicate the density of the parcel of land bounded by Burnhamthorpe Crescent on the north and east, Burnhamthorpe Road on the west, and the abutting public laneway and property lines to the south to be no more than 2.0 FSI; and
- (12) the Secondary Plan Area be renamed the Etobicoke City Centre; and
- (3) forwarded the report (August 17, 2001) from the Commissioner of Urban Development Services to the Etobicoke Community Council for its review and comment directly to City Council for its meeting on October 2, 2001.

(Etobicoke Community Council - September 12, 2001)

(Clause No. 4, Report No. 10)

8.5 Development of City-wide Sign By-law

The Planning and Transportation Committee gave consideration to a report (August 22, 2001) from the Commissioner of Urban Development Services reporting on the development of a city-wide sign by-law to regulate signs on private property, and recommending that:

- (1) staff be authorized and directed to take the necessary action to solicit requests for Expressions of Interest among consultants to develop a city-wide sign by-law; and
- (2) staff report on the details of the proposed Expressions of Interests.

The Committee also had before it the following communications:

- (undated) from Councillor Hall forwarding a Notice of Motion regarding electronic illuminated signs and resolving that the Commissioner of Works and Emergency Services' report on traffic safety matters dated February 6, 2001 (as set out in Clause 1 of Report No. 3 of the Works Committee Toronto as amended and adopted by City Council at its meeting held on March 6, 7 and 8, 2001) and the report dated March 21, 2001, from the Chief of Police providing recommendations with respect to the signage be forwarded to the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services so that these safety concerns can be addressed in connection with the harmonization of by-law provisions that apply to billboards located on the road allowance or close to major streets; and
- (September 10, 2001) from Ann Dembinski, President, CUPE Local 79, opposing this proposal and requesting the Planning and Transportation Committee to use directly employed City staff to develop a harmonized City-wide Sign By-law.

With Councillor Silva in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee:

- (1) recommended to City Council, for its meeting on October 2, 2001, that the report (August 22, 2001) from the Commissioner of Urban Development Services be adopted;
- (2) forwarded the report (August 22, 2001) from the Commissioner of Urban Development Services and notification of the Committee's recommendation to Council in this respect to the Policy and Finance Committee for future consideration by the Budget Advisory Committee during the 2002 Operating Budget process on any financial implications therein; and

- (3) requested the Commissioner of Urban Development Services to report to the Budget Advisory Committee at that time on staffing and other resources required to enable the harmonized Sign By-law to be developed by City of Toronto staff.

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

“That the report (August 22, 2001) from the Commissioner of Urban Development Services be received and that the Commissioner of Urban Development Services be requested to include in her Department’s 2002 Operating Budget, funding in an amount not to exceed \$250,000 to provide for City of Toronto staff to develop a City-wide Sign By-law within 18 months.”

(Policy and Finance Committee; cc: Commissioner of Urban Development Services; Acting Chief Financial Officer and Treasurer - Attn: John Di Lallo, Manager, Urban Development Services - September 17, 2001)

(Clause No. 5, Report No. 10)

8.6 Harmonization of the Noise By-law

The Planning and Transportation Committee gave consideration to a report (August 16, 2001) from the Commissioner of Urban Development Services reporting on the harmonization of the Noise By-law and recommending that:

- (1) this report and the attached draft by-law be received and forwarded to the Community Councils and the Board of Health for their consideration and comments back to Planning and Transportation Committee;
- (2) Council endorse the enforcement strategy and fee structure as outlined in this report; and
- (3) Council request the Minister of the Environment to include sound emission standards for blowers or vacuums for grounds maintenance in Publication NPC-117, Domestic Outdoor Power Tools.

The Committee also had before it the following material:

- transmittal letter (July 19, 2001) from the Secretary, Board of Health advising that the Board of Health, at its meeting on July 16, 2001, recommended that:

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- (1) the report (July 3, 2001) from the Medical Officer of Health be forwarded to the Planning and Transportation Committee and the Works Committee for consideration;
 - (2) the Planning and Transportation Committee seek public input on this report at Community Councils (at the same time that Community Councils give consideration to the Urban Development Services report on a harmonized Noise By-law for Toronto); and
 - (3) the Planning and Transportation Committee be requested, during its deliberations on the draft harmonized Noise By-law, to recommend that the operation of a device that blows or vacuums leaves, grass clippings or debris be prohibited:
 - (a) at all times in quiet zones and on residential properties; and
 - (b) between 6:00 p.m. and 8:00 a.m. on weekdays, and at all times on Saturday and Sunday, on non-residential properties;
- communication (June 15, 2001) from Albert Roffey submitting comments regarding the noise by-law;
 - transmittal letter (September 10, 2001) from City Clerk, Works Committee noting that the Works Committee, at its meeting on September 10, 2001, referred the communication dated July 19, 2001, from the Secretary, Board of Health, respecting leaf blowers and other lawn garden equipment, to the Planning and Transportation Committee for consideration, with a request that the Planning and Transportation Committee distinguish between electrical and gas-powered leaf blowers during their consideration of this matter; and
 - communication (September 10, 2001) from Ronald Robinson, Chain Saw Clinic® Ltd., advising that manufactures or power blowers and vacuums have been working towards manufacturing quieter machines.

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

- (1) forwarded the reports (August 16, 2001) from the Commissioner of Urban Development Services and the draft by-law attached thereto, and the communication (July 19, 2001) from the Secretary, Board of Health, to the Community Councils and the Board of Health for their consideration and comment back to the Planning and Transportation Committee; and

- (2) requested the Commissioner of Urban Development Services to report back to the Planning and Transportation when this matter returns after consideration by Community Councils on a staffing model and resources required to enforce this by-law.

(Commissioner, Urban Development Services; Board of Health; Etobicoke Community Council; Humber York Community Council; Midtown Community Council; North York Community Council; Scarborough Community Council and Toronto East York Community Council; cc: Interested Persons - September 19, 2001)

(Clause No. 11(a), Report No. 10)

8.7 Sign Permit and Variance Application Fee Harmonization

The Planning and Transportation Committee gave consideration to a report (September 5, 2001) from the Commissioner of Urban Development Services providing background information, anticipated revenues and recommended proposed sign permit fees based on a principle of cost recovery for the delivery of services, including a provision for ongoing adjustment of the fees to sustain the cost recovery principle. As well, this report considers a recent City Council motion to incorporate a public art component into any sign permit fees and recommended that:

- (1) the Planning and Transportation Committee be authorized to hold a public meeting to consider a proposed by-law to adjust sign permit fees and variance fees as outlined in this report, and that notice of the hearing be given in accordance with the requirements of the Municipal Act;
- (2) the Sign By-laws be amended to allow the Commissioner of Urban Development Services to automatically increase sign permit and/or variance fees on the first day of January of each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase date;
- (3) staff be directed to prepare a draft by-law for consideration at the public meeting;
- (4) this report be forwarded to the Community Councils for their consideration and comments back to Planning & Transportation Committee prior to the public meeting; and

- (5) the appropriate City Officials be authorized and directed to take the necessary action, including the introduction of a bill, in Council, in the form of a draft by-law to give effect thereto.

With Councillor Silva in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that:

- (1) the Planning and Transportation Committee be authorized to hold a public meeting on November 12, 2001 to consider a proposed by-law to adjust sign permit fees and variance fees as outlined in this report, and that notice of the hearing be given in accordance with the requirements of the Municipal Act;
- (2) that the report (September 5, 2001) be forwarded to Community Councils for their consideration and comments to the Planning and Transportation Committee prior to the public meeting on November 12, 2001; and
- (3) the Commissioner of Urban Development Services, in consultation with the City Solicitor, be requested to prepare a draft by-law for consideration at the public meeting to be held by Planning and Transportation Committee which would include an amendment to the Sign By-laws to allow the Commissioner of Urban Development Services to automatically increase sign permit and/or variance fees on the first day of January of each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase date.

(Clause No. 6, Report No. 10)

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

The Planning and Transportation Committee gave consideration to a report (August 20, 2001) from the Commissioner of Urban Development Services reporting further on Intergovernmental Co-operation on Property Maintenance and Fencing of Railway and Hydro Lands and recommending that:

- (1) the Federal Minister of Transport be requested to amend the draft Railway Right-of-Way Access Control Regulation and the Railway Safety Act as necessary, and to co-ordinate the enactment of related provincial legislation with the provincial Ministers responsible for transportation and municipal affairs, to provide the following:

that any costs incurred by a municipality in complying with a requirement under the regulation relating to private property automatically become a lien on the land and deemed to be municipal real property taxes that may be added to the rolls and collected in the same manner and with the same priorities as municipal real property taxes;

- (2) a copy of the letter to the Minister be sent to the Ontario Minister of Transportation, the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) seeking their support for Recommendation No. 1., and
- (3) that the balance of this report be received.

With Councillor Silva in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee deferred consideration of the report (August 20, 2001) from the Commissioner of Urban Development Services to its next meeting on October 15, 2001.

(Clause No. 11(b), Report No. 10)

8.9 CAN-BIKE Children's Programme Form of Release, Waiver and Indemnity (Ward 23)

The Planning and Transportation Committee gave consideration to a report (August 21, 2001) from the Commissioner of Urban Development Services reporting on appropriate wording for the form of Release, Waiver and Indemnity required to be signed by participants in the Kids CAN-BIKE Festival, and recommending that this report be received for information.

On motion by Councillor McConnell, the Planning and Transportation Committee received the report (August 21, 2001) from the Commissioner of Urban Development Services.

(Clause No. 11(c), Report No. 10)

8.10 Status Report - Year Round Residence on Boats Moored on Parks and Recreation Property

The Planning and Transportation Committee gave consideration to a report (August 24, 2001) from the Commissioner of Economic Development, Culture and Tourism providing information to the relevant Community Councils and Standing Committee regarding Council's directive of July 24, 25, 26, 2001 to submit a report on action to be taken with the year-round residence on boats moored on Parks and Recreation Property, and recommending that this report be received for information.

On motion by Councillor Ashton, the Planning and Transportation Committee received the report (August 24, 2001) from the Commissioner of Economic Development, Culture and Tourism.

(Clause No. 11(d), Report No. 10)

8.11 Representation of Residents at OMB Hearings

The Planning and Transportation Committee gave consideration to a transmittal letter (May 10, 2001) from the City Clerk advising that City Council, at its regular meeting held on April 23, 24, 25, 26 and 27, 2001, and its special meeting held on April 30, May 1 and 2, 2001, in adopting, as amended, Clause No. 2 of Report No. 5 of The Policy and Finance Committee, headed "City of Toronto 2001 Operating Budget", struck out and referred Recommendation No. (107) of the Policy and Finance Committee to the Planning and Transportation Committee for further consideration, viz.

"(107) the practice of staff representing residents to appeal Council, City staff or Committee of Adjustment decisions at the OMB be discontinued;"

The Committee also had before it a communication (August 28, 2001) from the Acting City Clerk, Planning and Transportation Committee forwarding, for the information of the Committee, a report (March 27, 2001) from the Commissioner of Urban Development Services respecting costs for Councillor-requested staff assistance for residents on appeals before the Ontario Municipal Board, which was received by the Budget Advisory Committee at its meeting on April 2, 2001.

With Councillor Silva in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that the practice of staff representing residents to appeal Council, City staff or Committee of Adjustment decisions at the Ontario Municipal Board be discontinued in

cases where such representation is contrary to the City's decisions and where City Council has not instructed otherwise.

The following motion was placed by Councillor Flint, but not voted upon:

"That the communication (May 10, 2001) from the City Clerk, and the communication (August 28, 2001) from the Acting City Clerk, be received for information."

(Clause No. 7, Report No. 10)

8.12 Amendments to Schedule 6 of By-law 574-2000 - Tow Truck Owners and Drivers

The Planning and Transportation Committee gave consideration to a transmittal letter (July 27, 2001) from the Acting City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on July 17, 2001 recommended the adoption of the following recommendations contained in the revised report (June 15, 2001) from the Commissioner of Urban Development Services:

- (1) s. 26(1), Schedule 6 of By-law 574-2000 be amended to reflect that every tow truck owner provide and maintain on every tow truck owned by him the following equipment:
 - "(e) backup lights with an audible warning device, and an amber flashing roof light, which shall at all times be kept in good working order.";
- (2) the following regulations be added to Schedule 6 of By-law 574-2000:
 - "(i) The audible warning device and amber flashing roof light shall be activated prior to the tow truck commencing a reverse action;
 - (ii) Tow beams on tow trucks are to be kept lowered at all times when a tow truck is in motion, (including reversing up to a vehicle which is to be towed) other than when a vehicle has been or is actually being hooked up to a tow truck;
 - (iii) When not in use, dollies are to be affixed to the tow truck in such a manner so as to afford maximum visibility to the rear of the vehicle by the driver of the tow truck"; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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On motion by Councillor Milczyn, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that the following recommendations of the report (June 15, 2001) from the Commissioner of Urban Development Services be adopted subject to ensuring that this by-law comes into effect on January 1, 2002:

- (1) that s. 26(1), Schedule 6 of By-law 574-2000 be amended to reflect that every tow truck owner provide and maintain on every tow truck owned by him the following equipment:
 - "(e) backup lights with an audible warning device, and an amber flashing roof light, which shall at all times be kept in good working order.";
- (2) that the following regulations be added to Schedule 6 of By-law 574-2000:
 - "(i) The audible warning device and amber flashing roof light shall be activated prior to the tow truck commencing a reverse action;
 - (ii) Tow beams on tow trucks are to be kept lowered at all times when a tow truck is in motion, (including reversing up to a vehicle which is to be towed) other than when a vehicle has been or is actually being hooked up to a tow truck; and
 - (iii) When not in use, dollies are to be affixed to the tow truck in such a manner so as to afford maximum visibility to the rear of the vehicle by the driver of the tow truck";
- (3) that the foregoing by-law amendment come into force on January 1, 2001; and
- (4) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 8, Report No. 10)

8.13 In Camera Meetings - Attendance of Chair of the Taxicab Advisory Committee at In Camera Sessions of the Licensing Sub-Committee

The Planning and Transportation Committee gave consideration to a transmittal letter (June 18, 2001) from the Acting City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on June 15, 2001, received for information the report (May 28, 2001) from the City Solicitor, and requested that its action be forwarded to the Planning and Transportation Committee.

On motion by Councillor Ashton, the Planning and Transportation Committee received the communication (June 18, 2001) from the Acting City Clerk, Licensing Sub-Committee and forwarded this communication to the Chair, Licensing Sub-Committee for his information.

(Chair, Licensing Sub-Committee; cc: City Solicitor; Joanne Hamill, Manager, Community Councils & Committees - September 17, 2001)

(Clause No. 11(e), Report No. 10)

8.14 Noise Mitigation Efforts for Audible Pedestrian Signals

The Planning and Transportation Committee gave consideration to a transmittal letter (July 4, 2001) from the Acting City Clerk, Works Committee advising that the Works Committee, at its meeting on July 4, 2001, received the report dated June 13, 2001, from the Commissioner of Works and Emergency Services, and directed that it be forwarded to the Planning and Transportation Committee and the Board of Health for information, as recommended.

On motion by Councillor Ashton, the Planning and Transportation Committee received the communication (July 4, 2001) from the Acting City Clerk, Works Committee and the appended report (June 13, 2001) from the Commissioner of Works and Emergency Services for information.

(Clause No. 11(f), Report No. 10)

8.15 Appointments to the Toronto Cycling Committee

The Planning and Transportation Committee gave consideration to a confidential report (August 17, 2001) from the Acting City Clerk, Nominations Sub-Committee, Toronto Cycling Committee containing personal matters about identifying material which

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recommended appointments to the Toronto Cycling Committee for a term of office expiring in November 2003, or until their successors are appointed.

On motion by Councillor Flint, the Planning and Transportation Committee recommended to City Council, for its meeting on October 2, 2001, that:

- (1) Council approve the appointment of the citizens listed in the confidential communication (August 17, 2001) from the Acting City Clerk, Nominations Sub-Committee, Toronto Cycling Committee, for a term of office to expire November 30, 2003 and until their successors are appointed; and
- (2) in accordance with provisions of the Municipal Act, discussions pertaining to the individuals named in the confidential communication (August 17, 2001) from the Acting City Clerk, Nominations Sub-Committee, Toronto Cycling Committee be held in-camera, having regard that the subject matter relates to personal matters about identifiable individuals.

(Clause No. 9, Report No. 10)

8.16 Amendments to By-laws Governing the Operation of Massage Parlours, Holistic Medicine, and Other Therapeutic Health Establishments

The Planning and Transportation Committee gave consideration to a communication (July 25, 2001) from Councillor Milczyn commenting on the proliferation of unregulated massage parlours in the City of Toronto operating under the guise of complementary health establishments, and recommending that Urban Development Services and Toronto Police Services staff report to the next Planning and Transportation Committee meeting on any amendments that would strengthen our current by-laws, and any other measures which may assist us in limiting the pernicious impact these operations and their owners have on our city.

On motion by Councillor McConnell, the Planning and Transportation Committee referred the communication (July 25, 2001) from Councillor Milczyn to the Licensing Sub-Committee for consideration at its October, 2001 meeting.

(Licensing Sub-Committee; cc: Municipal Licensing and Standards, Urban Development Services and Councillor Milczyn - September 18, 2001)

(Clause No. 11(g), Report No. 10)

8.17 1998 APTA Rail Safety Audit - Update #2

The Planning and Transportation Committee gave consideration to a communication (July 19, 2001) from the General Secretary, Toronto Transit Commission forwarding the action of the Toronto Transit Commission at its meeting on July 18, 2001, whereby the Commission:

- (i) received for information, the second update of the TTC Management Actions for the 1998 APTA Rail Safety Audit; and
- (ii) forwarded this report to the Minister of Transportation, Province of Ontario and the City Council, via the Planning and Transportation Committee, for information.

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

- (1) received the report (July 19, 2001) from the General Secretary, Toronto Transit Commission and the appended 1998 APTA Rail Safety Audit and forwarded same to City Council, for its meeting on October 2, 2001, for information; and
- (2) recommended that the Toronto Transit Commission be requested to report to the Planning and Transportation Committee on the outstanding 19.9% Rail Safety Audit Recommendations which have not yet been implemented, and provide a schedule of their implementation and an assurance that these outstanding recommendations are not safety related.

(Clause No. 10, Report No. 10)

The meeting adjourned at 5:20 p.m.

Chair