

**THE CITY OF TORONTO**

**Clerk's Division**

**Minutes of the Planning and Transportation Committee**

**Meeting No. 4**

**Monday, March 25, 2002**

The Planning and Transportation Committee met on March 25, 2002, in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

<b>Councillor</b>	<b>9:30 a.m.</b>	<b>2:00 p.m.</b>
Councillor Joe Pantalone, Chair	X	X
Councillor Mario Silva, Vice-Chair	-	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	X	X

**4.1 Harmonization of the Sign By-law Concerning Posters on Utility Poles**

The Planning and Transportation Committee gave consideration to a report (February 28, 2002) from the Commissioner, Urban Development Services reporting further on the Harmonization of the Sign By-law concerning Posters on Utility Poles, and recommending that this report be received for information.

The Committee also had before it the following material:

- communication (February 21, 2002) from the City Clerk advising that City Council, at its meeting held on February 13, 14 and 15, 2002, in adopting, as amended, Clause No. 3 of Report No. 2 of The Planning and Transportation Committee, headed "Harmonization of the Sign By-law Concerning Posters on Utility Poles", authorized the Planning and Transportation Committee to hold a public meeting on March 25, 2002 to consider proposed by-law amendments with respect to posters on utility poles, and also referred the following motion to the Planning and Transportation Committee for consideration at its public meeting scheduled to be held on March 25, 2002:

Moved by Councillor Jones:

"It is recommended that the location and placement of all collars be determined by the Commissioner of Works and Emergency Services, in consultation with the local Ward Councillor.";

- confidential report (March 11, 2002) from the City Solicitor respecting posters on utility poles and other City property, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- communication (March 17, 2002) from Steve P. Roberts forwarding comments regarding the proposed By-law;
- communication (March 8, 2002) from Robert Saunderson, Bloor-Yorkville Business Improvement Area, forwarding comments regarding the proposed By-law;
- communication (March 19, 2002) from Victoria A Masnyk, President, Swansea Area Ratepayers' Association and Swansea Area Ratepayers' Group, forwarding comments regarding the proposed by-law;
- communication (March 25, 2002) from Christine Majta forwarding comments regarding the proposed by-law;
- communication (undated) Staff Sergeant Heinz Kuck, Toronto Police Services, forwarding comments regarding the proposed by-law;
- communication (March 25, 2002) from Ronny Yaron, Resident, St. Lawrence Neighbourhood, forwarding comments regarding the proposed by-law;
- communication (March 25, 2002) from Grant Orchard, Toronto Co-ordinator, Citizens Concerned About Free Trade (CCAFT), forwarding comments regarding the proposed by-law;
- communication (undated) from Karen Harrison, Multifaith Anti-racism Committee of Toronto, forwarding comments regarding the proposed by-law;
- communication (March 25, 2002) from Don Barber forwarding comments regarding the proposed by-law;
- communication (March 25, 2002) from Grant Orchard, Citizens Concerned About Free Trade (CCAFT), forwarding comments regarding the proposed by-law; and

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- communication (March 25, 2002) from Hamish Wilson forwarding comments regarding the proposed by-law.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Briar de Lange, obo Bloor-Yorkville BIA;
- Dave Meslin, Toronto Public Space Committee;
- Grant Orchard, Citizens Concerned About Free Trade;
- Ann Wilson;
- Reg Hartt;
- Karen Harrison, obo Multi-faith Anti-Racism Committee;
- Nick Schefter;
- Hamish Wilson; and
- Jorge van Schouwen.

On motion by Councillor Milczyn, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002:

- (1) the adoption of the following by-law amendments with respect to posters on utility poles and that the City Solicitor be authorized, once all collars have been installed, to prepare and introduce in Council a bill substantially in the form of the attached draft by-law appended to the report (December 12, 2001) from the Commissioner of Urban Development Services as amended by the following:
  - (a) posters not be permitted on any privately-owned pole located on the boulevard;
  - (b) posters be permitted only on utility poles located on a boulevard if:
    - (i) the utility pole is fitted with an approved collar;
    - (ii) the poster is no larger than 22 centimetres by 28 centimetres and consists of lightweight cardboard or paper only;
    - (iii) the poster is at least 100 metres from any other poster that conveys essentially identical information;

- (iv) the poster is securely attached flush to the surface of the collar using staples or removable tape;
  - (v) the poster is dated, showing the date of posting; and
  - (vi) the poster is displayed for not more than 30 days or five days after the end of the advertised event, if any, whichever is earlier;
- (c) (on motion by Councillor Moscoe), the purchase and installation of 4,000 collars be approved in principle;
  - (d) the location and placement of all collars be determined by the Commissioner of Works and Emergency Services;
  - (e) the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, Toronto Hydro Corporation, the Toronto Transit Commission or their designates may, at any time and without notice, remove any poster from a collar in the course of periodic cleaning or maintenance operations and any poster or sign that has been displayed contrary to the provisions of the by-law;
  - (f) where a poster or sign is removed in accordance with the provisions of the by-law, any person responsible for erecting, attaching, placing or displaying, or causing or permitting the erecting, attaching, placing or displaying of the sign in contravention of the by-law be required to pay the City the greater of a per sign removal fee of \$60.00 or the actual cost of removal and disposal of the sign;
  - (g) (on motion by Councillor Flint), the names and/or telephone numbers of the advertisers be clearly printed on posters;

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- (h) (on motion by Councillor Moscoe), members of Council be consulted on the location of collars situated within their wards;
- (2) (on motion by Councillor Moscoe), the Commissioner of Urban Development Services submit a quarterly report to the Planning and Transportation Committee on the enforcement activities of this By-law; and
- (3) (on motion by Councillor Milczyn), the Policy and Finance Committee be requested to direct the Commissioner of Urban Development Services to prepare a Request for Proposals to determine whether there is interest amongst the private sector in providing collars, and possibly, sign kiosks.

The Planning and Transportation Committee:

- (1) (on motion by Councillor Altobello), requested the Commissioner of Urban Development Services to report directly to City Council for its meeting on April 16, 2002 on the resources necessary to enforce the by-law including the effective removal of posters; and
- (2) (on motion by Councillor Moscoe), requested the Commissioner of Urban Development Services to explore utilizing sign kiosks and report to the Planning and Transportation Committee accordingly.

The following motions were voted on and lost:

By Councillor Moscoe:

That the material before the Committee be referred to the Commissioner of Urban Development Services with a request that an alternative postering by-law be prepared to:

- (1) provide ample opportunity for legal postering in an orderly and controlled manner
- (2) provide for ease of enforcement
- (3) discourage postering in undesirable locations

(4) provide sufficient resources for removing illegal posters

and that ideas from the public be solicited in the preparation of a draft by-law.

By Councillor Pantalone

That Councillor Moscoe's motion be amended by directing staff to submit the requested draft by-law and a report on its enforcement to the Planning and Transportation Committee for its meeting in January 2004.

(Commissioner, Urban Development Services - March 28, 2002)

**(Clause No. 1, Report No. 4)**

#### **4.2 Closure of Specific Streets in Toronto**

The Planning and Transportation Committee gave consideration to a communication (November 9, 2001) from the City Clerk advising that City Council, at its meeting on November 6, 7 and 8, 2001, had before it Clause No. 8 of Report No. 12 of The Planning and Transportation Committee, titled "Other Items Considered by the Committee", and received this clause for information subject to striking out and referring the following Item (c) titled "Closure of Specific Streets in Toronto" back to the Planning and Transportation Committee for further consideration:

“(c) Closure of Specific Streets in Toronto

The Planning and Transportation Committee reports having:

- (1) received the report (October 9, 2001) from the Commissioner of Urban Development Services; and
- (2) requested the deputants who addressed the Planning and Transportation Committee meeting to consult with the Ward Councillors, business associations and the City of Toronto's Pedestrian Committee, and when they have received some level of support from these bodies with respect to their proposal to forward this matter to the appropriate Community Council(s) for their consideration.”

The Committee also had before it the following communications:

- (October 30, 2001) from Lela Gary, Air Pollution Coalition of Ontario, forwarding thesis, titled "Street Opening: A Pedestrian Plan for Kensington Market"; and
- (undated) from Derek Chadbourne, Advocacy for Respect for Cyclists, endorsing a plan to close certain parts of the city to motor vehicle traffic.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Walker Kwok, Toronto Chinatown Community Development Committee; and
- John Dang Thai Trang, South East Asia Industry & Business Association.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the communication (November 9, 2001) from the City Clerk.

**(Clause No. 13(a), Report No. 4)**

**4.3 Response to a Proposal for a Shared Use GO Transit Station/Building at the Interchange of the Stouffville GO Rail Service and Kennedy Subway Station - Ward 35 – Scarborough West**

The Planning and Transportation Committee gave consideration to a report (February 15, 2002) from the Commissioner, Urban Development Services responding to the Community Resource Centre of Scarborough's request to appear before the Planning and Transportation Committee regarding their project proposal, entitled the Scarborough Eglinton Avenue Modernization (SEAM) Project, aimed at the development of a new shared use GO Transit Station/Building at the interchange of the Stouffville GO Rail Service and the Kennedy Subway Station, and recommending that:

- (1) GO Transit be encouraged to complete the development and construction of the connection between the TTC Kennedy Subway Station and the GO Transit Stouffville Service in 2002; and
- (2) the Community Resource Centre of Scarborough Group be encouraged to continue their efforts to attract investment and renewal in the vicinity of the station site through the development of initiatives that tie into the new transit connection being developed by GO Transit.

The Committee also had before it the following material:

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- communication (March 4, 2002) from Mike Olivier, Chair, Rocket Riders Transit Users Group, supporting the shared use Kennedy GO Station;
- communication (undated) from James McArthur forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 12, 2002) from David Moffat forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (undated) from Martin Abela forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 12, 2002) from R. Swarbrick forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 12, 2002) from John Banka, Chair, Environmentalists Plan Transportation (E.P.T.), forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 12, 2002) from Malcolm Bird forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 21, 2002) from John Elliot, Executive Director, Warden Woods Community Centre, forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 21, 2002) from Dr. Bob Frankford forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (undated) from Andrew Shulz, Scarborough Eglinton Modernization Project (SEAM), forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (March 22, 2002) from Glen De Baeremaeker, President, Save the Rouge Valley System, forwarding comments respecting the S.E.A.M. initiative being put forward by the Community Resource Centre of Scarborough;
- communication (March 22, 2002) from Ken Koffman, Manager of Development & Communications, Second Base (Scarborough) Youth Shelter, forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;



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- communication (March 22, 2002) from Mario F. Ferri, Executive Director, West Scarborough Neighbourhood Community Centre, forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- communication (undated) from Brown and Storey Architects forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy;
- petition from 42 area residents supporting the SEAM proposal for redevelopment at Kennedy Station and the Mid-Scarborough Recreation Centre, enhancing the proposed GO Station to provide additional services, public space and improved pedestrian facilities, and asking that the City, Province and Federal Government provide funding and leadership to implement this proposal; and
- communication (March 22, 2002) from John H. Kamevaar, President, Town Haven Place Seniors Club, forwarding comments respecting the S.E.A.M. proposal for a mixed-use GO station at Kennedy.

Andrew Schulz appeared before the Planning and Transportation Committee in connection with the foregoing matter.

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

- (1) recommended to City Council, for its meeting on April 16, 2002, the adoption of the report (February 15, 2002) from the Commissioner of Urban Development Services; and
- (2) forwarded the report (February 15, 2002) from the Commissioner of Urban Development Services to the Scarborough Community Council for its information.

(Scarborough Community Council - March 27, 2002)

**(Clause No. 2, Report No. 4)**

**4.4 Toronto Transit Commission - Rapid Transit Expansion Study (Ward 8 – York West; Ward 9 – York Centre; Ward 10 – York Centre; Ward 33 – Don Valley East; Ward 38 – Scarborough Centre; Ward 40 – Scarborough-Agincourt; Ward 41 – Scarborough-Rouge River) and Spadina-York Subway Extension: A Business Case From Spadina-York Extension Committee (Ward 8 – York West; Ward 9 – York Centre)**

The Planning and Transportation Committee gave consideration to a report (February 28, 2002) from the Commissioner, Urban Development Services discussing the Rapid Transit Expansion Study (RTES) prepared by the Toronto Transit Commission (TTC), noting this study was endorsed by the Commission on August 29, 2001 and forwarded to the City for information/comments and requesting Planning staff to provide a review of this study, and recommending that Council:

- (1) receive the Rapid Transit Expansion Study (RTES) prepared by the TTC (August 2001) and follow-up on the "next steps" identified in the RTES Executive Summary report by directing TTC and City staff to:
  - (a) undertake detailed ridership forecasts for the extension of the Sheppard and Spadina subway lines based on the City's latest forecasts of population and employment used in the development of the new Official Plan;
  - (b) further assess the feasibility of an alternative Keele Alignment for the extension of the Spadina corridor between Downsview station and Finch Avenue West;
  - (c) determine future transit demands to the downtown under different growth scenarios and the resulting implications for TTC rapid transit (particularly the Yonge subway line) and GO rail capacities and infrastructure requirements; and
  - (d) identify opportunities to implement other higher-order transit services (streetcars, light rail transit and bus rapid transit) as potential precursors to future rapid transit services, particularly for the extension of inter-regional services in the Yonge Street corridor north of Finch Avenue; the Spadina corridor north of Downsview station to York University and Vaughan Corporate Centre; and the Eglinton Avenue corridor west of the Eglinton West station to Mississauga;
- (2) continue to protect, through the policies of the new Official Plan, for higher-order transit extensions in the Spadina and Sheppard corridors, with the choice of technology(ies) and possible staging over time to be determined later through further studies and public consultation; and
- (3) endorse the TTC position that the first priority for funding transit is to ensure the maintenance and safety of the existing transit system.

The Committee also had before it the following material:

- communication (August 31, 2001) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission, at its meeting on August 29, 2001, adopted, as amended, the recommendations contained therein and forwarded this report to the City of Toronto's Planning and Transportation Committee, and requested that Council approve, in principle, the TTC's direction for subway expansion;
  
- communication (December 21, 2001) from the City Clerk, City of Vaughan forwarding Item 18, Report No. 77 of the Committee of the Whole, titled "Comment to the Toronto Transit Commission TTC Rapid Transit Expansion Study (RTES)", which was adopted without amendment by the Council of the City of Vaughan at its meeting of December 18, 2001, and, in so doing, adopted the following recommendations contained in the joint report from the Commissioner of Planning and the Commissioner of Development Services and Public Works, dated December 18, 2001:
  - (1) the Toronto Transit Commission be advised that the City of Vaughan supports the comments of the Region of York, as approved by Regional Council on November 8, 2001, in respect of TTC's Rapid Transit Expansion Study; and
  
  - (2) this report be forwarded to the Spadina-York Subway Extension Committee, the Federal and Provincial Ministers of Transportation, the City of Toronto, the Toronto Transit Commission, the Chair of the Federal Urban Task Force - Judy Sgro, M.P., the Regional Municipality of York, the Town of Markham and the Town of Richmond Hill;
  
- communication (November 29, 2001) from the Town Clerk, Town of Markham, advising the Hon. Chris Hodgson, Minister of Municipal Affairs and Housing that, at the meeting held by the Council of the Town of Markham on November 27, 2001, Clause 7 of Report No. 74, the following Motion was approved:

"That the Toronto Transit Commission (TTC) be requested to broaden its Rapid Transit Expansion Study to include an analysis of a GTA rapid transit network taking into account growth outside of its current radial network expansion plan;

And that the TTC Study include an analysis of alternative modes of rapid transit technology such as light rail;

And that the scope of the TTC Study be broadened to include a rapid transit expansion to the Town of Markham;

And that the TTC analysis be expanded to include public private partnership opportunities;

And further that a copy of this report be sent to the TTC, Region of York, the Cities of Vaughan, Richmond Hill, Toronto, Ministers Brad Clark, Chris Hodgson, The Office of the Provincial Smart Growth Secretariat and the Chair of Federal Urban Task Force Member of Parliament Judy Sgro.";

- communication (November 15, 2001) from the Regional Clerk, The Regional Municipality of York, advising that the Council of the Regional Municipality of York, at its meeting on November 8, 2001 adopted, as amended, Clause No. 1 of Report No. 6 of the Commissioner of Transportation and Works, titled "TTC Rapid Transit Expansion Study (RTES) - Screening of Options", and authorized the following:
  - (1) the TTC Rapid Transit Expansion Study dated August 29, 2001 be endorsed in principle, subject to the comments contained in this report;
  - (2) the earliest possible extension of the Spadina Subway to Steeles Avenue be the preferred option of the Toronto Transit Commission;
  - (3) extension of the Yonge Street Subway be given equal consideration in the subsequent analyses to be undertaken for the Sheppard and Spadina Subway extensions;
  - (4) a north/south corridor linking Markham Centre to the TTC Rapid Transit network be investigated for implementation of transit priority strategies including future rapid transit services;
  - (5) in recognition of the need to engage in inter-regional planning and implementation of transit services, the City of Toronto, the Toronto Transit Commission and GO Transit be requested to work with the Region of York to address mutual planning, policy, funding and implementation issues, including a strategy to engage Federal and Provincial levels of Government; and
  - (6) this report be forwarded by the Regional Clerk to the Federal and Provincial Ministers of Transportation, City of Toronto and the Toronto Transit Commission (TTC) and York Region MPs and MPPs;
- presentation folder from the Toronto Transit Commission on the York Region Transportation Master Plan and the Spadina-York Connection;

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- report (February 28, 2002) from the Commissioner, Urban Development Services responding to a request from the Chair of Planning and Transportation Committee to prepare a background report on the "Spadina-York Subway Extension, Business Case: A Solution for Gridlock in the Northwestern GTA", prepared by PriceWaterhouseCoopers, in support of the Spadina-York Subway Extension Committee, which is comprised of politicians from the City of Toronto, City of Vaughan, Region of York and a representative from York University, and recommending that Planning and Transportation Committee:
  - (1) receive the Business Case report for information;
  - (2) direct City staff to continue working with the TTC, City of Vaughan, and Region of York in developing strategies and priorities for future cross-boundary rapid transit initiatives;
  - (3) confirm that the priority for funding transit is maintenance and safety of existing transit infrastructure ahead of system expansion; and
  - (4) forward the staff report to the Toronto Transit Commission, City of Vaughan and Region of York for their information;
  
- communication (June 27, 2001) from the Chair, Spadina-York Subway Extension Committee, forwarding a copy of report, titled "Spadina-York Subway Extension - Business Case: A Solution for Gridlock in Northwestern GTA, Final Report", dated June 22, 2001, prepared by PriceWaterhouseCoopers, LLP, supporting the proposed Spadina-York Subway Extension;
  
- Executive Summary of the Report, titled "Spadina-York Subway Extension - Business Case: A Solution for Gridlock in Northwestern GTA, Final Report", dated June 22, 2001;
  
- communication (October 11, 2001) from the Regional Clerk, Regional Municipality of York, advising that the Council of The Regional Municipality of York, at its meeting held on October 11, 2001 adopted, as amended, Clause No. 1 of Report No. 12 of the Transportation and Works Committee, titled "York Region Rapid Transit Initiatives", and authorized the following:
  - (1) Regional Council reaffirm the following key elements of the future rapid transit system:
    - Yonge Street Transitway;
    - Highway 7 Transitway; and
    - North-south links between the Markham, Vaughan and Richmond Hill centres and Toronto;

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- (2) staff be authorized to work with staff of the TTC, City of Toronto, Region of Peel and Durham, other affected agencies and the affected area municipalities regarding the implementation of improved cross-boundary transit services, especially the north-south links;
  - (3) staff report back in December, 2001, after consultation with the parties referenced in 2 above, regarding the proposed implementation of a portion of the Yonge Street Transitway from Finch subway station to the Highway 7 area;
  - (4) staff identify the cost of the property on the north side of Steeles Avenue, opposite York University; its future use as an inter-modal transit station, and report further on Regional acquisition of this property by November, 2001;
  - (5) a property protection study be initiated by Regional staff for a rapid transit facility connecting the Markham Centre with the Toronto subway system;
  - (6) staff be authorized to:
    - work with GO Transit staff towards an early implementation of express bus services on Highway 404, from Newmarket to Toronto; and
    - work with Ministry of Transportation staff towards the implementation of reserved bus lanes on the shoulders of Highway 404;
  - (7) staff pursue opportunities for Federal and Provincial funding support for the inter-regional rapid transit initiatives outlined in this report and report back in December, 2001; and
  - (8) this report be circulated to the Ministry of Transportation, SuperBuild Corporation, the City of Toronto, the Regions of Peel and Durham, the TTC, the GTSB, the City of Vaughan and Towns of Richmond Hill and Markham, Newmarket and Aurora;
- communication (October 5, 2001) from the City Clerk, City of Vaughan, forwarding Minute No. 241, titled "Spadina - York Subway Extension Committee, Presentation of Business Case - PriceWaterhouseCoopers -Resolution requesting Federal and Provincial Funding for Public Transit Update on the Status of the Spadina Subway Extension", noting that Council endorsed the "Spadina-York Subway Extension - Business Case: A Solution for Gridlock in the

Northwestern GTA" and adopted the two Resolutions, with the following recommendations and requested all Municipal Councils in the GTA to endorse these Resolutions:

Resolution No. 1:

That the Province of Ontario and the Federal Government be requested to:

- (1) provide financial support to the public transit systems in the Greater Toronto Area, including the provision of capital funding for the renewal of the existing systems and for further and substantial system expansions;
- (2) provide such funding on the basis of a long term commitment that will allow for comprehensive and rational system planning, together with the timely implementation of the planned improvements; and
- (3) secure such funding through a dedicated portion of the gasoline taxes, or other source, in order to provide: reassurance as to the long term commitment of the senior levels of government to public transit in the Greater Toronto Area; and to reflect the importance the respective governments place on the role of public transit in ensuring the long term economic, social and environmental health of the Greater Toronto Area.

Resolution No. 2:

- (1) the principle of consistent, long term capital funding for the comprehensive planning and timely implementation of public transit improvements is reaffirmed;
- (2) the Province's resumption of control over the operation and funding of GO Transit is supported;
- (3) the Province's resumption of its role as a partner in the provision of capital funding for municipal public transit is supported;
- (4) the Federal Government is requested to join with the Provincial and Municipal Governments as a long term funding partner in the provision of public transit; and
- (5) the Province of Ontario is requested to provide further details on the nature of the program and allow for constructive dialogue with the municipalities and the Federal Government on the refinement of the goals and objectives of the program and the development and implementation of its rules and procedures; and

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- communication (March 25, 2002) from Jim Perri, Mayor, City of Barrie, forwarding comments regarding the Spadina-York subway extension.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Councillor Mario G. Racco, Chair, Spadina-York Subway Extension Committee;
- Bill Fisch, Regional Chair, Region of York; and
- Prof. Edward Spence, Senior Policy Advisor, York University.

On motion by Councillor Pantalone, the Planning and Transportation Committee unanimously recommended to City Council, for its meeting on April 16, 2002, that:

- (1) the report (February 28, 2002) from the Commissioner of Urban Development Services respecting the TTC Rapid Transit Expansion Study be adopted, which recommends that Council:

“(1) receive the Rapid Transit Expansion Study (RTES) prepared by the TTC (August 2001) and follow-up on the "next steps" identified in the RTES Executive Summary report by directing TTC and City staff to:

- (a) undertake detailed ridership forecasts for the extension of the Sheppard and Spadina subway lines based on the City's latest forecasts of population and employment used in the development of the new Official Plan;
- (b) further assess the feasibility of an alternative Keele Alignment for the extension of the Spadina corridor between Downsview station and Finch Avenue West;
- (c) determine future transit demands to the downtown under different growth scenarios and the resulting implications for TTC rapid transit (particularly the Yonge subway line) and GO rail capacities and infrastructure requirements; and



- (d) identify opportunities to implement other higher-order transit services (streetcars, light rail transit and bus rapid transit) as potential precursors to future rapid transit services, particularly for the extension of inter-regional services in the Yonge Street corridor north of Finch Avenue; the Spadina corridor north of Downsview station to York University and Vaughan Corporate Centre; and the Eglinton Avenue corridor west of the Eglinton West station to Mississauga;
- (2) continue to protect, through the policies of the new Official Plan, for higher-order transit extensions in the Spadina and Sheppard corridors, with the choice of technology(ies) and possible staging over time to be determined later through further studies and public consultation; and
- (3) endorse the TTC position that the first priority for funding transit is to ensure the maintenance and safety of the existing transit system.”;
- (2) Council support the TTC’s submission to the provincial Golden Horseshoe Transit Investment Partnership (GTIP) requesting funding to:
  - (a) undertake an amendment to the approved Environmental Assessment for the northerly extension of the Spadina Subway to York University/Steeles Avenue with respect to preferred alignment and station options, and to co-ordinate with the City’s new emerging Official Plan;
  - (b) undertake work on a possible bus rapid transit service between Downsview Subway Station and York University/Steeles Avenue in advance of the subway extension; and
  - (c) undertake an update to the approved Environmental Assessment for the easterly extension of the Sheppard Subway to reflect changing populations and development projections and to co-ordinate with the City’s new emerging Official Plan;

- (3) (on motion by Councillor Flint), should the implementation of the City of Toronto's new Official Plan be delayed either through an appeal process or otherwise, that the proposed initiatives with respect to the Spadina Subway extension still proceed;
- (4) the report (February 28, 2002) respecting the Spadina York Subway Extension from the Commissioner of Urban Development Services be adopted which recommends that:
  - “(1) the Business Case report be received for information;
  - (2) City staff be directed to continue working with the TTC, City of Vaughan, and Region of York in developing strategies and priorities for future cross-boundary rapid transit initiatives;
  - (3) Council confirm that the priority for funding transit is maintenance and safety of existing transit infrastructure ahead of system expansion; and
  - (4) the staff report be forwarded to the Toronto Transit Commission, City of Vaughan and Region of York for their information.”
- (5) appropriate City of Toronto and Toronto Transit Commission officials be directed to:
  - (a) commence an updated Environmental Assessment study to amend the Yonge-Spadina Subway EA to examine the alternate alignments for the extension of the Spadina subway line between Downsview subway station and Steeles Avenue and work with the Region of York to co-ordinate the respective jurisdictions' EA Studies in this corridor;
  - (b) work with the Region of York to jointly initiate an Environmental Assessment Study to examine the infrastructure and capital requirements to provide an interim express bus route from Downsview subway station to York University and Steeles Avenue and beyond;

- (c) (on motion by Councillor Moscoe), in so doing, review the feasibility of utilizing the Finch Hydro Corridor as part of this scenario;
  - (d) (on motion by Councillor Moscoe), request York Region to review the feasibility of securing the rights to land on north side of Steeles Avenue for commuter parking; and
  - (e) take measures necessary to protect the Finch Hydro Corridor;
- (6) (on motion by Councillor Moscoe), appropriate City officials be requested to meet with representatives from York Region to determine how the necessary funding is to be secured, including the best method of securing the GTIP funding application;
- (7) Council endorse the following Resolutions adopted by the Council of the City of Vaughan and contained in the communication (October 5, 2001) from the City Clerk, City of Vaughan:
- (a) “Resolution No. 1:  
  
That the Province of Ontario and the Federal Government be requested to:
    - (1) provide financial support to the public transit systems in the Greater Toronto Area, including the provision of capital funding for the renewal of the existing systems and for further and substantial system expansions;
    - (2) provide such funding on the basis of a long term commitment that will allow for comprehensive and rational system planning, together with the timely implementation of the planned improvements; and

- (3) secure such funding through a dedicated portion of the gasoline taxes, or other source, in order to provide: reassurance as to the long term commitment of the senior levels of government to public transit in the Greater Toronto Area; and to reflect the importance the respective governments place on the role of public transit in ensuring the long term economic, social and environmental health of the Greater Toronto Area.
- (b) Resolution No. 2:
- (1) the principle of consistent, long term capital funding for the comprehensive planning and timely implementation of public transit improvements is reaffirmed;
  - (2) the Province's resumption of control over the operation and funding of GO Transit is supported;
  - (3) the Province's resumption of its role as a partner in the provision of capital funding for municipal public transit is supported;
  - (4) the Federal Government is requested to join with the Provincial and Municipal Governments as a long term funding partner in the provision of public transit; and
  - (5) the Province of Ontario is requested to provide further details on the nature of the program and allow for constructive dialogue with the municipalities and the Federal Government on the refinement of the goals and objectives of the program and the development and implementation of its rules and procedures"; and
- (8) (on motion by Councillor Milczyn), the Commissioner of Urban Development Services be requested to arrange a meeting of the Chief Planner, representatives from the TTC and interested Members of Council with the Mayor of Mississauga and Chairs of the Regions of Peel and Durham

to discuss the Rapid Transit Expansion Study and issues related to inter-regional public transit and report back to the Planning and Transportation Committee on the outcome of this meeting.

The foregoing resolutions were adopted unanimously by the Committee, as follows:

Yeas: Councillors Pantalone, Silva, Altobello, Ashton, Flint, McConnell, Milczyn and Moscoe.

**(Clause No. 3, Report No. 4)**

**4.5 Proposed Amendment to By-law 574-2000 as it Relates to the Replacement of Vehicles Used as Taxicabs which No Longer Meet the Age of Vehicle Requirements Contained in the By-law**

The Planning and Transportation Committee gave consideration to a communication (February 25, 2002) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on February 19, 2002, recommended to the Planning and Transportation Committee, for its meeting on March 25, 2002:

- (1) the adoption of the report (February 14, 2002) from the Commissioner of Urban Development Services, which recommends that By-law 574-2000 be amended to allow vehicles used as taxicabs to be replaced in the third regularly scheduled inspection period and furthermore that the by-law be amended to prohibit the use of used taxicabs from other jurisdictions and used Police cars as replacement vehicles for taxicabs in the City of Toronto; and
- (2) requested that this item be considered as time-sensitive at the City Council meeting to be held on April 16, 2002 since the amendment to By-law 574-2000 referred to in Recommendation No. (1) above must be approved by Council before May 1, 2002. The by-law currently allows for vehicles to be replaced between May and August and Recommendation No. (1) above will allow vehicles to be replaced between September and December instead.

The Committee also had before it a communication (undated) from Arvind Kumar Agarwal forwarding comments on the replacement of taxicabs which no longer meet the age of vehicle requirements contained in the by-law.

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

- (1) recommended to City Council, for its meeting on April 16, 2002, the adoption of the report (February 14, 2002) from the Commissioner of Urban Development Services, which recommends that By-law 574-2000 be amended to allow vehicles used as taxicabs to be replaced in the third regularly scheduled inspection period and furthermore that the by-law be amended to prohibit the use of used taxicabs from other jurisdictions and used Police cars as replacement vehicles for taxicabs in the City of Toronto, and that authority be granted for the introduction of the necessary bill in Council to give effect thereto; and
- (2) requested that this matter be considered as time-sensitive by City Council and be dealt with at its meeting to be held on April 16, 2002 since the amendment to By-law 574-2000 referred to in Recommendation No. (1) above must be approved by Council before May 1, 2002. The by-law currently allows for vehicles to be replaced between May and August and Recommendation No. (1) above will allow vehicles to be replaced between September and December instead.

**(Clause No. 4, Report No. 4)**

**4.6 Filing of Provincial Regulation 45/02 to Extend the New Multi-Residential Property Class from 8 To 35 Years**

The Planning and Transportation Committee gave consideration to a joint report (March 1, 2002) from the Commissioner, Urban Development Services and Chief Financial Officer & Treasurer reporting on the filing of Ontario Regulation 45/02 that extends the applicability period for properties in the new multi-residential property class to a maximum 35-year period; recommending the adoption of the new multi-residential property class in the City of Toronto for the taxation year 2002 and the adoption of the 35-year period of applicability for properties that were already classified as new multi-residential prior to 2002, noting adoption of the 35-year extension would enable the City to co-ordinate its assistance with federal assistance under the new affordable housing partnership program, and recommending that:

- (1) the optional new multi-residential property class that allows a reduced tax rate to apply to newly constructed multi-residential properties for a 35-year period following construction be adopted for the 2002 taxation year;

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- (2) City Council opt to have properties in the City of Toronto that were already in the new multi-residential property class prior to the 2002 taxation year also be included in the class for a 35-year period rather than the 8-year period that would otherwise apply to such properties;
- (3) City Council enact a by-law giving effect to recommendations 1 and 2 in the form, or substantially in the form, of the draft by-law attached as Appendix A to this report;
- (4) authority be granted for the introduction of the necessary bill in Council;
- (5) this report be forwarded to the Policy and Finance Committee for consideration at its meeting on April 4, 2002, and directed to City Council for its meeting on April 16, 17 & 18, 2002, to enable adoption of the multi-residential property class for the 2002 taxation year; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Committee also had before it a communication (March 19, 2002) from Brad Butt, Executive Director, Greater Toronto Apartment Association, forwarding comments respecting the recommendations contained in the staff report.

On motion by Councillor Flint, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, the adoption of the joint report (March 1, 2002) from the Commissioner of Urban Development Services and the Chief Financial Officer and Treasurer and in accordance with Recommendation (5) therein submitted this report to the Policy and Finance Committee for consideration at its meeting on April 4, 2002 for subsequent submission to City Council for its meeting on April 16, 2002 to enable adoption of the multi-residential property class for the 2002 taxation year.

(Policy and Finance Committee - March 28, 2002)

**(Clause No. 13(b), Report No. 4)**

#### **4.7 New Affordable Rental Housing: Municipal Housing Facility By-law**

The Planning and Transportation Committee gave consideration to a joint report (March 1, 2002) from the Commissioner, Urban Development Services and Acting Commissioner, Community and Neighbourhood Services forwarding a Municipal Housing Facility By-law in accordance with Ontario Regulation 189/01 for Council approval, noting the By-law will facilitate the provision of new affordable rental housing by the private sector, as well as the non-profit sector, in partnership with the City of Toronto and the By-law will enable the City to co-ordinate its assistance with federal assistance under the new affordable housing program, and recommending that:

- (1) City Council adopt the framework set out in this report which enables the City to partner with both the private and non-profit sectors for the creation of affordable housing, and that City Council enact a Municipal Housing Facility By-law in the form, or substantially in the form, of the draft by-law attached as Appendix A to this report;
- (2) City Council, by enacting a Municipal Housing Facility By-law, expand the current range of assistance for the production of new affordable rental housing:
  - (a) to the private sector, through loans and/or grants from the Capital Revolving Fund for Affordable Housing or the capital budget; surplus municipal land pursuant to the existing Housing First policy; reduction of, or exemption from, municipal development charges; and
  - (b) to both the private and non-profit sectors through exemption from property taxes (municipal and education);
- (3) City Council approve each decision on specific assistance to any affordable housing project pursuant to recommendations 1 and 2;
- (4) City Council approve the framework for tenant eligibility and access set out in this report for housing units created under the Municipal Housing Facility By-law to ensure that the units accommodate a range of households with low and moderate incomes, including households on the social housing waiting list;
- (5) City Council approve the definition of affordable housing contained in this report for the purposes of the Municipal Housing Facility By-law;
- (6) City Council approve the provisions to be contained in all site-specific agreements to be entered into by the City for the provision of municipal housing project facilities as set out in this report;



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- (7) the Acting Commissioner of Community and Neighbourhood Services be directed to issue one or more competitive Requests for Proposals (RFPs) in 2002, taking into account the expanded assistance provided through the Municipal Housing Facility By-law, and including provisions to the following effect:
  - (a) half of the available assistance will be directed to private-sector proposals and half to non-profit sector proposals, subject to possible adjustments due to program rules or the merits of proposals received;
  - (b) proposed housing developments may receive assistance from the City alone or from a combination of City and senior government sources, subject to funding availability and program rules for the latter;
  - (c) the maximum total of loans and grants to be provided through City assistance for 2002 shall not exceed the unallocated balance in the Capital Revolving Fund; and
  - (d) specific assistance for each proposed housing development will be subject to Council approval and enactment of a site-specific by-law;
- (8) the Acting Commissioner of Community and Neighbourhood Services be directed, in consultation with the Commissioner of Urban Development Services, the City Solicitor, and the CFO and Treasurer, to:
  - (a) report annually on activity under the Municipal Housing Facility By-law, including, achievement of targets, the types and amounts of assistance, status of new allocations, and adherence to terms and conditions for occupied affordable housing developments; and
  - (b) report on any required modifications to the Municipal Housing Facility By-law within 2 years of its adoption;
- (9) this report be forwarded to the Community Services Committee for information at its meeting on March 27, 2002; and
- (10) 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 communications:

- (March 19, 2002) from Brad Butt, Executive Director, Greater Toronto Apartment Association, forwarding comments respecting the recommendations contained in the staff report; and

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- (March 22, 2002) from Jim Murphy, Director, Government Relations, Greater Toronto Home Builders' Association, forwarding comments respecting the recommendations contained in the staff report.

With Councillor Flint in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee unanimously recommended to City Council, for its meeting on April 16, 2002, that the joint report (March 1, 2002) from the Commissioner of Urban Development Services and the Acting Commissioner of Community and Neighbourhood Services be adopted subject to amending Recommendation (6) by adding two additional provisions, and amending Recommendation (8)(a) by adding the words "and the continued need for incentives", so that the Recommendations, as amended, now read:

- “(1) City Council adopt the framework set out in this report which enables the City to partner with both the private and non-profit sectors for the creation of affordable housing, and that City Council enact a Municipal Housing Facility By-law in the form, or substantially in the form, of the draft by-law attached as Appendix A to this report;
- (2) City Council, by enacting a Municipal Housing Facility By-law, expand the current range of assistance for the production of new affordable rental housing:
  - (a) to the private sector, through loans and/or grants from the Capital Revolving Fund for Affordable Housing or the capital budget; surplus municipal land pursuant to the existing Housing First policy; reduction of, or exemption from, municipal development charges; and
  - (b) to both the private and non-profit sectors through exemption from property taxes (municipal and education);
- (3) City Council approve each decision on specific assistance to any affordable housing project pursuant to recommendations (1) and (2);
- (4) City Council approve the framework for tenant eligibility and access set out in this report for housing units created under the Municipal Housing Facility By-law to ensure that

the units accommodate a range of households with low and moderate incomes, including households on the social housing waiting list;

- (5) City Council approve the definition of affordable housing contained in this report for the purposes of the Municipal Housing Facility By-law;
- (6) City Council approve the provisions to be contained in all site-specific agreements to be entered into by the City for the provision of municipal housing project facilities as set out in this report together with the following two additional provisions:
  - (i) the initial rents to be charged per unit, the method by which the initial rents may be increased during the term of the agreement and the limits on such increases; and
  - (j) other terms and conditions satisfactory to the City Solicitor and the Acting Commissioner of Community and Neighbourhood Services, which may include, but which are not limited to, any and all forms of property transactions as the Commissioner and the City Solicitor consider necessary and desirable;
- (7) the Acting Commissioner of Community and Neighbourhood Services be directed to issue one or more competitive Requests for Proposals (RFPs) in 2002, taking into account the expanded assistance provided through the Municipal Housing Facility By-law, and including provisions to the following effect:
  - (a) half of the available assistance will be directed to private-sector proposals and half to non-profit sector proposals, subject to possible adjustments due to program rules or the merits of proposals received;
  - (b) proposed housing developments may receive assistance from the City alone or from a combination of City and senior government sources,

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- subject to funding availability and program rules for the latter;
- (c) the maximum total of loans and grants to be provided through City assistance for 2002 shall not exceed the unallocated balance in the Capital Revolving Fund; and
  - (d) specific assistance for each proposed housing development will be subject to Council approval and enactment of a site-specific by-law;
- (8) the Acting Commissioner of Community and Neighbourhood Services be directed, in consultation with the Commissioner of Urban Development Services, the City Solicitor, and the CFO and Treasurer, to:
- (a) report annually on activity under the Municipal Housing Facility By-law, including, achievement of targets, the types and amounts of assistance, status of new allocations, adherence to terms and conditions for occupied affordable housing developments and the continued need for incentives;
  - (b) report on any required modifications to the Municipal Housing Facility By-law within 2 years of its adoption; and
- (9) this report be forwarded to the Community Services Committee for information at its meeting on March 27, 2002; and
- (10) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Pantalone, the Planning and Transportation Committee, in accordance with the foregoing Recommendation (9), forwarded this report to the Community Services Committee for information at its meeting on March 27, 2002.

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

“That the report (March 1, 2002) from the Commissioner of Urban Development Services be amended by deleting the proposed exemption from the development charges for private rental developments and that the Commissioner of Urban Development Services be requested to report to the Planning and Transportation Committee in 6 months time with respect to the exemption for development charges.”

(Community Services Committee - March 26, 2002)

**(Clause No. 5, Report No. 4)**

#### **4.8 Fees and Charges Exempted for Non-Profit Affordable Rental Housing in 2001**

The Planning and Transportation Committee gave consideration to a report (February 28, 2002) from the Commissioner, Urban Development Services reporting on the fees and charges exempted in 2001 for non-profit affordable rental housing administered through the Let's Build Program, and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (February 28, 2002) from the Commissioner of Urban Development Services for information.

**(Clause No. 13(c), Report No. 4)**

#### **4.9. Minimum Property Standards for Garbage and Debris**

The Planning and Transportation Committee gave consideration to a report (December 10, 2001) from the Commissioner, Urban Development Services reporting on a motion referred to the Planning and Transportation Committee by the City Clerk, and recommending that:

- (1) Chapter 629-22 of the Toronto Municipal Code be amended to require that all containerized garbage which is located outdoors on residential property be stored only in the side or rear yards; and
- (2) the City Solicitor be authorized to prepare and introduce in Council a bill giving effect thereto.

The Planning and Transportation Committee:

- (1) (on motion by Councillor McConnell), referred the report (December 10, 2001) from the Commissioner of Urban Development Services back to the Commissioner of Urban Development Services with a request that a further report be submitted to the Planning and Transportation Committee on standards for locating containerized garbage on those properties that have minimal or no side yards and limited rear yards, such as row houses, townhouses and other small City lots; and
- (2) (on motion by Councillor Flint), requested the Commissioner of Urban Development Services to also review the inclusion of recyclable and recompostible yard waste containers;
- (3) (on motion by Councillor Moscoe), also requested the Commissioner of Urban Development Services to review the work undertaken by the Automated "Flower Pot" Water Collection Systems Working Group.

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

"That the report (December 10, 2001) from the Commissioner of Urban Development Services be received."

(Commissioner, Urban Development Services; c.c.: Interested Persons - March 28, 2002)

**(Clause No. 13(d), Report No. 4)**

#### **4.10 Design Review for Toronto Transit Commission Projects**

The Planning and Transportation Committee gave consideration to a report (February 15, 2002) from the Commissioner, Urban Development Services responding to a request by Councillor Pantalone, Chair of the Planning and Transportation Committee, to address design review issues raised by the Toronto Transit Commission at their meeting of October 31, 2001, and recommending that the Commissioner of Urban Development Services and the General Manager of the Toronto Transit Commission develop a formal

design review protocol for prominent TTC projects that addresses the requirements of the TTC and broader City objectives including design quality.

The Committee also had before it a communication (November 19, 2001) from the General Secretary, Toronto Transit Commission, advising that the TTC, at its meeting on October 31, 2001, raised concerns regarding the appearance and cost of the elevator structure being constructed at the north-east corner of University Avenue and College Street, and the City's review process which has resulted in an unaesthetic costly structure for the Queen's Park elevator installation and recommending that the Planning and Transportation Committee be requested to review the process used by the City Urban Planning Group as it relates to design requirements for such structures.

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

- (1) recommended to City Council, for its meeting on April 16, 2002, that the recommendations of the report (February 15, 2002) from the Commissioner of Urban Development Services be struck out and replaced with the following:

“It is recommended that all new TTC structures be subject to site plan control”; and

- (2) requested the Commissioner of Urban Development Services to report directly to City Council for its meeting on April 16, 2002 with any additional recommendations to give effect to the foregoing recommendation.

(Commissioner, Urban Development Services - March 28, 2002)

**(Clause No. 6, Report No. 4)**

#### **4.11. Toronto Transit Commission Request concerning Section 37 of the Planning Act**

The Planning and Transportation Committee gave consideration to a report (January 8, 2002) from the Commissioner, Urban Development Services discussing the request of the Toronto Transit Commission to report on the use of Section 37 of the Planning Act to benefit the transit system, and recommending that:

- (1) this report be received for information; and
- (2) be forwarded to the Toronto Transit Commission for information.

The Committee also had before it a communication (November 30, 2001) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission, at its meeting on November 28, 2001, in considering the report, titled "2002-2006 Capital Program and 10-Year Capital Forecast", approved the following motions:

- (1) that staff review the feasibility of creative utilization of Section 37 under the Planning Act for assistance to transit;
- (2) that staff review the model that the 905 Region has used for development levies to fund public transit, i.e. GO Transit, and make recommendations with respect to development levies for public transit related projects within the City of Toronto; and
- (3) that the Province of Ontario be requested to amend the Planning Act to provide for transit benefits under Section 37 and that this request be referred to the City Planning and Transportation Committee for consideration and a report thereon.

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

- (1) received the report (January 8, 2002) from the Commissioner of Urban Development Services for information; and
- (2) forwarded this report to the Toronto Transit Commission for information.

(Mr. Vincent Rodo, General Secretary, Toronto Transit Commission; c.c.: Commissioner, Urban Development Services - March 28, 2002)

**(Clause No. 13(e), Report No. 4)**

#### **4.12 Development of New City-wide Sign By-law**

The Planning and Transportation Committee gave consideration to a report (February 27, 2002) from the Commissioner, Urban Development Services reporting on the anticipated timing for the introduction of a new City-wide Sign By-law and its implementation, and recommending that this report be received for information.



The Committee also had before it a communication (January 30, 2002) from Dr. Daphna Pollak forwarding comments regarding an exemption from the by-law to be allowed to display an A-frame sign on the City road allowance (boulevard) at 2401 Yonge St.

On motion by Councillor Flint, the Planning and Transportation Committee requested the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services, to report to the June 24, 2002 meeting of the Planning and Transportation Committee on a proposed sign by-law for A-frame signs and mobile signs for the area of Yonge Street and certain distances along intersecting streets.

(Commissioner, Urban Development Services; c.c.: Dr. Daphne Vivian Pollak - March 28, 2002)

**(Clause No. 13(f), Report No. 4)**

#### **4.13 Amendments to Chapter 835, Toronto Municipal Code, Vital Services**

The Planning and Transportation Committee gave consideration to a report (February 28, 2002) from the Commissioner, Urban Development Services reporting on amendments to Chapter 835, Toronto Municipal Code, Vital Services to permit the intervention of the City prior to the services actually being cut off, and recommending that Council request the Province to amend Part VII of the Tenant Protection Act, 1997 to permit a Municipality to pass a by-law to provide that a landlord shall be deemed to have caused the cessation of a vital service for a rental unit if the landlord is obligated to pay for the vital service and fails to do so on the payment due date stipulated by the service provider.

The Committee also had before it a communication (March 19, 2002) from Brad Butt, Executive Director, Greater Toronto Apartment Association, forwarding comments respecting the recommendations contained in the staff report.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, that:

- (1) Council request the Province to amend Part VII of the Tenant Protection Act, 1997 to permit a Municipality to pass a by-law to provide that a landlord shall be deemed to have caused the cessation of a vital service for a rental unit if the landlord is obligated to pay for the vital service and

fails to do so on the payment due date stipulated by the service provider; and

- (2) in the interim, that Chapter 835 of the City of Toronto Municipal Code be amended to include a provision which would require that notice be given of a proposed termination of a vital service, and that authority be granted for the introduction of the necessary bill in Council to give effect thereto.

**(Clause No. 7, Report No. 4)**

#### **4.14 Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation Owned Buildings**

The Planning and Transportation Committee gave consideration to a report (February 27, 2002) from the Commissioner, Urban Development Services reporting on the development of a Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation ("TCHC") Owned Buildings, and recommending that:

- (1) Council endorse the protocol as developed by the City in co-operation with the Toronto Community Housing Corporation; and
- (2) the Commissioner of Urban Development Services be directed to report in one year on the activity levels, inspection demands, and staffing requirements resulting from the adoption of the protocol.

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Elinor Mahoney, obo Parkdale Community Legal Services and Tenant Advocacy Group;
- Barbara Hurd, obo Federation of Metro Tenants Associations; and
- Pat McKendry, Toronto Community Housing Corporation.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002:

- (1) the adoption of the report (February 27, 2002) from the Commissioner of Urban Development Services subject to amending Recommendation (2) to include consultation

with the residents of the Toronto Community Housing Corporation, so as to read:

- “(1) Council endorse the protocol as developed by the City in co-operation with the Toronto Community Housing Corporation; and
- (2) the Commissioner of Urban Development Services, in consultation with the residents of the Toronto Community Housing Corporation, be directed to report in one year on the activity levels, inspection demands, and staffing requirements resulting from the adoption of the protocol”; and
- (2) that the Toronto Community Housing Corporation, through its Shareholder Agreement, be directed to provide a written statement of this Protocol to all tenants.

On motion by Councillor McConnell, the Planning and Transportation Committee requested the Commissioner of Urban Development Services to forward to the Planning and Transportation Committee the report respecting a protocol for all privately owned rental buildings in the City of Toronto scheduled for submission to the Tenant Defence Sub-Committee in May, 2002.

(Commissioner, Urban Development Services; c.c.: Tenant Defence Sub-Committee and All Interested Persons - March 28, 2002)

**(Clause No. 8, Report No. 4)**

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

The Planning and Transportation Committee gave consideration to a report (February 27, 2002) from the Commissioner, Urban Development Services reporting further on Intergovernmental Co-operation on Property Maintenance and Fencing of Railway and Hydro Lands, and recommending that:

- (1) Council endorse the establishment of a working group made up of representatives from the Municipal Licensing and Standards Division of Urban Development

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Services, Works and Emergency Services, C.N.R. and C.P.R. to identify and resolve issues of concern to the City or railway companies;

- (2) the Commissioner of Urban Development Services forward the “General Minimum Standards for Fencing and Landscaping along Railway Rights-of-Way” identified in this report to the six (6) Committee of Adjustment Panels for their consideration when reviewing applications for minor variances and severances of properties adjacent to railway lines;
- (3) the Commissioner of Urban Development Services direct staff to utilize the “General Minimum Standards for Fencing and Landscaping along Railway Rights-of-Way” as set out in the body of this report, when reviewing applications for changes in land use adjacent to railway rights-of-way until such time as the standards can be incorporated into new comprehensive design guidelines; and
- (4) the balance of this report be received for information.

The Committee also had before it a report (March 20, 2002) from the Chief Financial Officer and Treasurer providing details of the *Assessment Act* and other legislation which govern the assessment of railway lands in Toronto, particularly with respect to a requirement to annually establish the status of railway lands as vacant land, and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, that the report (February 27, 2002) from the Commissioner of Urban Development Services be adopted subject to amending Recommendation (1) by including representation from the Planning and Transportation Committee on the working group and adding an additional Recommendation (4), so that the recommendations, as amended, read:

- “(1) (a) Council endorse the establishment of a working group made up of representatives from the Municipal Licensing and Standards Division of Urban Development Services, Works and Emergency Services, C.N.R.; C.P.R. and at least one member of the Planning and Transportation Committee, to identify and resolve issues of concern to the City or railway companies, and
- (b) the City Clerk to be requested to poll members of the Planning and Transportation Committee following Council’s adoption of this

recommendation and advise the Planning and Transportation Committee of its representation on the Working Group;

- (2) the Commissioner of Urban Development Services forward the “General Minimum Standards for Fencing and Landscaping along Railway Rights-of-Way” identified in this report to the six (6) Committee of Adjustment Panels for their consideration when reviewing applications for minor variances and severances of properties adjacent to railway lines;
- (3) the Commissioner of Urban Development Services direct staff to utilize the “General Minimum Standards for Fencing and Landscaping along Railway Rights-of-Way” as set out in the body of this report, when reviewing applications for changes in land use adjacent to railway rights-of-way until such time as the standards can be incorporated into new comprehensive design guidelines; and
- (4) all members of Council be advised of the:
  - (a) Dispute Resolution Mechanism established by CP/CN in co-operation with the FCM and be advised how to access this process; and
  - (b) opportunity to request a “Special Service Area” and how to access that request through the Planning and Transportation Committee.”

**(Clause No. 9, Report No. 4)**

#### **4.16 Divisional Court Decision Upholds Official Plan Amendment No. 2 (Opa2)**

The Planning and Transportation Committee gave consideration to a joint report (February 28, 2002) from the Commissioner, Urban Development Services and Acting City Solicitor advising Council that in a unanimous decision issued February 20, 2002, the Divisional Court agreed with the Cities of Toronto, Hamilton and Ottawa on all three points of law raised in their appeal of the Ontario Municipal Board (OMB) decision which declared Official Plan Amendment No. 2 "illegal and invalid"; noting OPA2 sets out Council's policy for the encouragement, preservation and replacement of rental

housing, and that the Divisional Court has set aside the OMB Order, and remitted the matter to a differently constituted panel of the OMB for a hearing on the planning merits of OPA2, and recommending that:

- (1) the City Clerk be directed to communicate City Council's appreciation and thanks:
  - (a) to the City Councils, the City Solicitors and the staff of the Cities of Ottawa and Hamilton, for their support of the City of Toronto as joint parties to the appeal of the Ontario Municipal Board decision; and
  - (b) to the Association of Municipalities of Ontario for its support on behalf of all Ontario municipalities who need to preserve rental and affordable housing in their communities; and
- (2) the appropriate City Officials be authorized and directed to undertake any necessary action to give effect thereto.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, the adoption of the joint report (February 28, 2002) from the Commissioner of Urban Development Services and the Acting City Solicitor.

With Councillor Silva in the Chair, on motion by Councillor Pantalone, the Planning and Transportation Committee expressed its appreciation and thanks to all City of Toronto staff who have been involved in this process for a job well done.

(Commissioner, Urban Development Services; City Solicitor; Chief Administrative Officer - March 28, 2002)

**(Clause No. 10, Report No. 4)**

#### **4.17 Parkland Acquisition Strategic Directions – Report Requested by the Community Councils on Planning Policy Implications**

The Planning and Transportation Committee gave consideration to a report (February 25, 2002) from the Commissioner, Urban Development Services addressing a range of planning policy implications, identified by the Community Councils, following presentations on the Parkland Acquisition Strategic Directions Report at their November 20 and 21, 2001 meetings, noting the planning policy implications include the relationship between the new Official Plan and Parkland Acquisition Strategic Directions

Report, potential strategies to address needs in parkland-deficient communities, and consistency in the securing of parkland and cash-in-lieu through the land use planning process, and recommending that this report be received for information and be forwarded to the Economic Development and Parks Committee for consideration at its meeting on March 27, 2002.

On motion by Councillor McConnell, the Planning and Transportation Committee received the report (February 25, 2002) from the Commissioner of Urban Development Services and forwarded same to the Economic Development and Parks Committee for consideration at its meeting on March 27, 2002.

(Economic Development and Parks Committee - March 25, 2002)

**(Clause No. 13(g), Report No. 4)**

#### **4.18 Risk Reduction Procedures for NSF Cheques**

The Planning and Transportation Committee gave consideration to a report (March 4, 2002) from the Commissioner, Urban Development Services noting that City Council, on December 4, 5 and 6, 2001, adopted Audit Committee Report No. 10, entitled "Urban Development Services Building Division Review", and Recommendation 6 of the report required the Commissioner of Urban Development Services to report on doubtful accounts pertaining to NSF cheques and procedures to minimize the risk of loss from NSF cheque payments, and recommending that this report be received for information.

On motion by Councillor McConnell, the Planning and Transportation Committee received the report (March 4, 2002) from the Commissioner of Urban Development Services for information.

**(Clause No. 13(h), Report No. 4)**

#### **4.19 Bill 124 - Building Code Statute Law Amendment Act, 2001**

The Planning and Transportation Committee gave consideration to a report (March 1, 2002) from the Commissioner, Urban Development Services advising that City Council, on December 4, 5 and 6, 2001, requested the Commissioner of Urban Development Services to report on the potential impact of provincial legislation and implementation of the BRAGG recommendations, most of which are now contained in Bill 124, identifying

key issues contained in Government Bill 124, "An Act to Improve Public Safety and to Increase Efficiency in Building Enforcement", that if enacted would have a direct impact on City administration and operations relating to Building Code, outlining the potential impact of the issues that have been identified and making recommendations for revisions to the Bill for consideration by the provincial government, prior to its enactment, noting that Bill 124 was given first reading on November 1, 2001 and as of the date of this report has not been given second reading and that the Bill amends the Building Code Act and the Planning Act, and recommending that:

- (1) City Council adopt the recommendations contained in this report and itemized in Appendix A regarding Bill 124, *An Act to improve public safety and to increase efficiency in building code enforcement*, and forward these recommendations to the Province of Ontario for consideration during the legislative process; and
- (2) once the details and timing of the final legislation and implementing regulations are known, that the Commissioner of Urban Development Services report to the Planning and Transportation Committee on the impact of the proposed legislation on the City of Toronto, along with recommendations for further implementation of its provisions.

The Committee also had before it a communication (March 25, 2002) from Ann Dembinski, President, C.U.P.E. Local 79, forwarding comments with respect to Bill 124 the Building Code Statute Law Amendment Act, 2001.

Ken Amoroso, CUPE, Local 79 appeared before the Planning and Transportation Committee in connection with the foregoing matter.

On motion by Councillor Ashton, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, the adoption of the report (March 1, 2002) from the Commissioner of Urban Development Services.

**(Clause No. 11, Report No. 4)**

**4.20 Incentives for Requiring Businesses Located in Strip Plazas (Strip Malls) to Maintain Common Parking Areas**

The Planning and Transportation Committee gave consideration to a report (March 8, 2002) from the Acting City Solicitor commenting on a request for by-law amendments and licensing requirements which would create an incentive for businesses sharing a common parking area to be required to maintain the common parking area, and recommending that this report be received for information.



On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report (March 8, 2002) from the Acting City Solicitor to the City Solicitor for resubmission to the Planning and Transportation Committee pending the outcome of the meeting scheduled to be held on March 27, 2002 on the review of the new Municipal Act.

(City Solicitor - March 28, 2002)

**(Clause No. 13(i), Report No. 4)**

**4.21 Appointments to Toronto Cycling Committee**

The Planning and Transportation Committee gave consideration to a communication (February 20, 2002) from the City Clerk, Toronto Cycling Committee advising that the Toronto Cycling Committee, at its meeting held on February 18, 2002, recommended the approval of the following to the Planning and Transportation Committee:

- (1) that a nominations process be instituted now to replace four midterm vacancies on the Toronto Cycling Committee, using the following advertising means, deemed fair and equitable, by the Committee:
  - (a) electronic mail system;
  - (b) advertisements in bike papers;
  - (c) flyers at the Toronto International Bike Show, and other cycling events;
  - (d) subscriber list;
  - (e) posters; and
  - (f) community television;
- (2) that staff of the Transportation Planning Section report on a permanent interim nominations process for appointing midterm nominees to the Toronto Cycling Committee;
- (3) that Ms. Helen Smith, Administrator, Nominating Committee, be invited to meet with the Toronto Cycling Committee to discuss the fair and equitable means of appointing persons to the Toronto Cycling Committee; and
- (4) that a Nominations Working Group of the Toronto Cycling Committee be formed to appoint midterm nominees to the Committee, consisting of the following persons:

- (a) Mr. Stephen Fisher;
- (b) Mr. Clay McFayden; and
- (c) Mr. Dave Meslin.

On motion by Councillor McConnell, the Planning and Transportation Committee recommended to City Council, for its meeting on April 16, 2002, the adoption of the recommendations of the Toronto Cycling Committee contained in the communication (February 20, 2002) from the City Clerk.

**(Clause No. 12, Report No. 4)**

**4.22 A-Frame Sign on City Road Allowance at 2401 Yonge Street**

See Minute 4.12

The meeting adjourned at 7:19 p.m.