

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 10

Monday, October 7, 2002

The Planning and Transportation Committee met on October 7, 2002, in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

Councillor	9:30 a.m.
Councillor Gerry Altobello, Chair	X
Councillor Pam McConnell, Vice-Chair	X
Councillor Lorenzo Berardinetti	X
Councillor Betty Disero	-
Councillor Joanne Flint	X
Councillor Peter Milczyn	X
Councillor Howard Moscoe	-
Councillor Kyle Rae	X

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

None declared.

Confirmation of Minutes

On motion by Councillor Flint, the minutes of the meeting of the Planning and Transportation Committee held on September 9, 2002 were confirmed.

10.1 Stakeholder Satisfaction with Committee of Adjustment Hearing Times

The Planning and Transportation Committee gave consideration to a report (July 24, 2002) from the Commissioner of Urban Development Services reporting back, as requested by City Council, on stakeholder satisfaction with the 2:00 p.m. Committee of

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Adjustment Public Hearing time and recommending that this report be received for information.

The Committee also had before it the following communications:

- communications received by the Planning and Transportation Committee at its meeting on September 9, 2002;
- (September 11, 2002) from William Phillips, President, Lawrence Park Ratepayers Association, opposing changing the sitting time of the Committee of Adjustment from the evening to the afternoon;
- (September 10, 2002) from Robin Fraser, President, Rathnelly Area Residents Association, requesting that the Committee of Adjustment meetings continue to be held in the evening;
- (October 4, 2002) from Greg Bonser requesting that Committee of Adjustment meetings be held in the evening;
- (October 3, 2002) from Patricia A. Prentice, Corresponding Secretary, Leaside Property Owners' Association Incorporated, expressing concerns regarding the Committee of Adjustment and the 2:00 p.m. hearing time;
- (October 7, 2002) from William H. Roberts, Director and Former President, Swansea Area Ratepayers Association, objecting to the 2:00 p.m. start time;
- (October 7, 2002) from William H. Roberts, Director and Former President, Swansea Area Ratepayers Association, forwarding recommendations respecting his earlier communication objecting to the 2:00 p.m. start time; and
- (October 7, 2002) from Councillor Pitfield requesting that the Committee recommend to Council that Committee of Adjustment hearings take place in the evenings.

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

- William Roberts, Director and Former President, Swansea Area Ratepayers Association; and
- Mitchell E. Kosny, Toronto/East York Committee of Adjustment.

On motion by Councillor Flint, the Planning and Transportation Committee received the report (July 24, 2002) from the Commissioner of Urban Development Services for information.

(Commissioner, Urban Development Services; c.c.: All Interested Persons - October 9, 2002)

(Clause No. 5(a), Report No. 12)

10.2 Progress Report - Streamlining the Application Review (STAR) Process - All Wards

The Planning and Transportation Committee gave consideration to a report (September 23, 2002) from the Development Review Task Force reporting to Committee on recent improvements to the City's development review and building permit issuance processes, advising on further reforms to these processes, and recommending that:

- (1) Council endorse the process of continued reform to the existing service model for the review of development applications and the issuance of building permits, in keeping with the approach outlined in this report;
- (2) the Chief Administrative Officer and the Commissioners of Economic Development, Culture and Tourism, Urban Development Services and Works and Emergency Services address the resource issue for the implementation of these reforms through the 2003 budget process;
- (3) this report be forwarded to the Budget Advisory Committee for its consideration with the 2003 Operating Budget;
- (4) Council direct the Commissioner of Urban Development Services to review the December, 1999 Council direction regarding new practices for Site Plan Control applications and to report thereon to Planning and Transportation Committee by the end of the year;
- (5) Council endorse the concurrent report from the Commissioner of Urban Development Services with respect to authorizing the use of conditional building permits across the City under the Building Code Act;
- (6) the Building Permit By-law (Article 1 of Chapter 363 of the Municipal Code) be amended to reduce the up-front payment of building permit fees on projects where the fee exceeds \$20,000.00 to 60 percent of the total, with the balance due upon issuance of permits for any work other than excavation and shoring. For permit fees on projects where the fee is over \$20,000.00, the minimum up-front payment shall not be less than \$20,000.00;
- (7) the appropriate City Officials be authorized and directed to take the necessary actions, including the introduction of Bills to Council, to give effect thereto.

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The Committee also had before it the following communications:

- (October 3, 2002) from Paula J. Tenuta, Municipal Government Advisor, Greater Toronto Home Builders' Association, forwarding a communication requesting the Committee to receive the reports, permit the work of the Development Review Task Force to move forward, and encourage continued dialogue between the Task Force and the industry in order to ensure the successful implementation of the proposed initiatives; and
- (undated) from Andy Manahan, Development Promotion Representative, Universal Workers Union, Local 183, requesting that the Committee approve this report for Council's consideration and approval.

Paul Zuliani, Customer Service Manager, Building Division, Urban Development Services, gave a presentation regarding the above matter and the following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Andy Manahan, Development Promotion Representative, Universal Workers Union, Local 183;
- Paula Tenuta, Greater Toronto Home Builders' Association; and
- Richard Lyall, Rescon.

On motion by Councillor Flint, the Planning and Transportation Committee recommended that City Council adopt the report (September 23, 2002) from the Development Review Task Force subject to the following amendments and in accordance with Recommendation (3) forwarded this report, and the Committee's recommendations, to the Budget Advisory Committee for its consideration with the 2003 Operating Budget:

- (1) (on motion by Councillor Rae), amending Recommendation (1) by adding to the end the following:

“subject to amending Attachment No. 1 by deleting the words “8 weeks” under the category ‘Complex – Revisions and Re-submissions by Applicant’, and inserting the words “6 weeks”, and deleting the words “8 weeks” under the category ‘Complex – Re-circulation and Finalised Comments’, and inserting the words “4 weeks”;

- (2) deleting Recommendation (3) because Planning and Transportation Committee has already taken this action;

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- (3) (on motion by Councillor Flint), amending Recommendation (4) by deleting the words “by the end of the year’ and inserting the words “as soon as possible in 2003”;
- (4) deleting Recommendation (5) because this report will be submitted to City Council for its meeting on October 29, 2002;

so that the recommendations of the report now reads:

- “(a) Council endorse the process of continued reform to the existing service model for the review of development applications and the issuance of building permits, in keeping with the approach outlined in this report subject to amending Attachment No. 1 by deleting the words “8 weeks” under the category ‘Complex – Revisions and Re-submissions by Applicant’, and inserting the words “6 weeks”, and deleting the words “8 weeks” under the category ‘Complex – Re-circulation and Finalised Comments’, and inserting the words “4 weeks”;
- (b) the Chief Administrative Officer and the Commissioners of Economic Development, Culture and Tourism, Urban Development Services and Works and Emergency Services address the resource issue for the implementation of these reforms through the 2003 budget process;
- (c) Council direct the Commissioner of Urban Development Services to review the December, 1999 Council direction regarding new practices for Site Plan Control applications and to report thereon to Planning and Transportation Committee as soon as possible in 2003;
- (d) the Building Permit By-law (Article 1 of Chapter 363 of the Municipal Code) be amended to reduce the up-front payment of building permit fees on projects where the fee exceeds \$20,000.00 to 60 percent of the total, with the balance due upon issuance of permits for any work other than

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excavation and shoring. For permit fees on projects where the fee is over \$20,000.00, the minimum up-front payment shall not be less than \$20,000.00; and

- (e) the appropriate City Officials be authorized and directed to take the necessary actions, including the introduction of Bills to Council, to give effect thereto.”;
- (5) the Planning and Transportation Committee requested the Commissioner of Urban Development Services to:
- (a) report to the Planning and Transportation Committee:
 - (i) (on motion by Councillor Milczyn), on a protocol or Memorandum of Understanding that could be developed to ensure that comments from outside agencies including, but not limited to, Schools Boards, the Toronto and Region Conservation Authority, the Toronto Parking Authority, Toronto Hydro and the Toronto Transit Commission with respect to development applications, are received in a timely manner;
 - (ii) (on motion by Councillor Rae), on the possibility of fire inspection services being assumed by Building Inspectors;
 - (iii) (on motion by Councillor McConnell), as soon as possible, with a volume analysis of the development applications and building permits being processed on a ward by ward and Community Council by Community Council basis; and
 - (b) (on motion by Councillor McConnell), advise the Chair of the Toronto Transit Commission of the Committee’s concerns with respect to delays in their approval for development applications and building permit applications and report back to the Planning and Transportation Committee with regard

to a more suitable process to expedite such approvals.

The following motion placed by Councillor Flint was ruled out of order by the Chair when the vote was taken and was subsequently withdrawn:

“(2) that the Committee defer consideration of Recommendation (6) of the report (September 23, 2002) from the Development Review Task Force until Item 4 on the agenda being a report (September 19, 2002) from the Commissioner of Urban Development Services respecting Conditional Building Permit Agreement Procedures has been considered.”

(Budget Advisory Committee; Commissioner, Urban Development Services; c.c.: Chief Administrative Officer; Commissioner, Economic Development, Culture and Tourism; Commissioner, Works and Emergency Services; Fire Chief; Councillor Disero, Chair, Toronto Transit Commission and Interested Persons - October 9, 2002)

(Clause No. 4, Report No. 12)

10.3 Contract for Vehicle Test Facility

The Planning and Transportation Committee gave consideration to a report (September 5, 2002) from the Commissioner, Urban Development Services, as a component of the review of services and programmes within the Municipal Licensing and Standards Division, advising Council of the intention to investigate alternative service delivery options relative to the provision of mechanical safety testing for vehicles licensed by the City of Toronto under the provisions of By-law 574-2000 (taxis, livery vehicles and driving school vehicles); noting service has been contracted to a private service provider for many years and in order to facilitate the review seeking Council's approval to extend the existing service contract until June 30, 2003, to provide the necessary time to undertake this review, and recommending that:

- (1) approval be given to Urban Development Services to extend the current contract for the provision of vehicle inspection service at 25 Civic Road until June 30, 2003;
- (2) approval be given to the Commissioner of Urban Development Services to examine options for the provision of mechanical inspections of licensed vehicles, in consultation with Corporate Services, Fleet Services Division; and

- (3) a further report be submitted to Committee on or about mid-January, 2003, with the results of the review which would include the provision of recommendations with respect to the nature, level and means by which mechanical inspections are provided for the various licensed vehicles, and to recommend any by-law amendments that may be required to support revisions to the method in which service is provided.

On motion by Councillor McConnell, the Planning and Transportation Committee recommended to Council, for its meeting on October 29, 2002, the adoption of the report (September 5, 2002) from the Commissioner of Urban Development Services.

(Clause No. 1, Report No. 12)

10.4 Conditional Building Permit Agreement Procedures

The Planning and Transportation Committee gave consideration to a report (September 19, 2002) from the seeking Council's approval for the execution on behalf of the City of conditional permit agreements and related documents by the Chief Building Official and Deputy Chief Building Officials, and recommending that:

- (1) authority be granted to introduce a Bill in Council to amend the Municipal Code, substantially in the form of the draft by-law in Appendix 1, to authorize the Chief Building Official and Deputy Chief Building Officials to approve the entering into conditional permit agreements, consents to assignments of the agreements, and releases of registered agreements and to execute the agreements, consents and releases on behalf of the City; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Planning and Transportation Committee also had before it a communication (October 3, 2002) from Paula J. Tenuta, Municipal Government Advisor, Greater Toronto Home Builders' Association, forwarding a communication requesting the Committee to receive the reports, permit the work of the Development Review Task Force to move forward, and encourage continued dialogue between the Task Force and the industry in order to ensure the successful implementation of the proposed initiatives.

On motion by Councillor Berardinetti, the Planning and Transportation Committee recommended to City Council, for its meeting on October 29, 2002, that the report (September 19, 2002)

from the Commissioner of Urban Development Services be adopted.

(Clause No. 2, Report No. 12)

10.5 Writing-off Interest and Penalty Charges Accrued to Tax Accounts Subject to Apportionment

The Planning and Transportation Committee gave consideration to a confidential report (September 10, 2002) from the City Solicitor respecting the legality and risks of writing-off accrued interest and penalty charges accrued to tax accounts subject to apportionment, 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.

On motion by Councillor McConnell, the Planning and Transportation Committee deferred consideration of the confidential report (September 10, 2002) from the City Solicitor to its next meeting on November 4, 2002.

(City Solicitor - October 9, 2002)

(Clause No. 5(b), Report No. 12)

10.6 Suggested Amendments to By-law 574-2000 Relative to Flat Rates for Taxicab Service

The Planning and Transportation Committee gave consideration to a communication (September 20, 2002) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on September 18, 2002, recommended to the Planning and Transportation Committee, for its meeting on October 7, 2002, the adoption of the following recommendations:

- (1) By-law 574-2000 be amended to prohibit taxicab brokerages from arranging for flat rate taxicab service within the boundaries of the City of Toronto; and
- (2) 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 (October 4, 2002) from Lloyd Pollock, Dignity Transportation Inc., requesting an exemption within the by-laws to preclude any diminishing of service to the Disabled Community.

On motion by Councillor McConnell, the Planning and Transportation Committee referred the recommendations of the Licensing Sub-Committee as contained in the report (September 20, 2002) from the City Clerk, Licensing Sub-Committee back to the Licensing Sub-Committee for further consideration.

(City Clerk, Licensing Sub-Committee; c.c.: Executive Director, Municipal Licensing and Standards, Urban Development Services; Secretary, Taxi Advisory Committee and All Interested Persons - October 9, 2002)

(Clause No. 5(c), Report No. 12)

10.7 Licensing of Ticket Vendors as Pedlars

The Planning and Transportation Committee gave consideration to a communication (September 20, 2002) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on September 18, 2002, recommended to the Planning and Transportation Committee, for its meeting on October 7, 2002, that licences continue to be issued to ticket vendors under Section (2), Subsection (17) of By-law 574-2000.

On motion by Councillor Rae, the Planning and Transportation Committee adopted the recommendations of the Licensing Sub-Committee as contained in the report (September 20, 2002) from the City Clerk, Licensing Sub-Committee and in so doing agreed that licenses continue to be issued to ticket vendors under Section 92) Subsection (17) of By-law 574-2000.

(Commissioner, Urban Development Services; c.c.: Executive Director, Municipal Licensing and Standards, Urban Development Services - October 9, 2002)

(Clause No. 5(d), Report No. 12)

10.8 By-election to Fill the Two Positions on the Taxicab Advisory Committee Vacated by the Representatives of Taxicab Brokers and Taxicab Owners

The Planning and Transportation Committee gave consideration to a communication (September 20, 2002) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on September 18, 2002, recommended to the Planning and Transportation Committee, for its meeting on October 7, 2002, the adoption of the following recommendations contained in the communication (August 29, 2002) from the City Clerk, Taxicab Advisory Committee:

- (1) staff of Municipal Licensing and Standards, in consultation with the City Clerk, be directed to conduct a by-election, as soon as possible, in accordance with the Municipal Elections Act, to fill the two positions on the Taxicab Advisory Committee vacated by the representatives of taxicab brokers and taxicab owners;
- (2) staff of Municipal Licensing and Standards notify by mail all licence holders qualified as electors in the by-election;
- (3) all qualified electors be provided with details for filing nominations and voting;
- (4) election day be held within 15 working days following nomination day;
- (5) voting take place at two locations: the East York Civic Centre; 850 Coxwell Avenue; and the York Civic Centre, 2700 Eglinton Avenue West; and
- (6) voting places be open on election day between the hours of 10:00 a.m. and 8:00 p.m.

The Committee also had before it a report (October 4, 2002) from the Commissioner, Urban Development Services amending the September 18, 2002, Minutes and Report of the Licensing Sub-Committee and recommending that:

- (1) the words, "*in accordance with the Municipal Elections Act*", be deleted from Recommendation (1) contained in the communication from the City Clerk, Taxicab Advisory Committee and replaced with "*in accordance with existing election guidelines as adopted by the taxicab industry*"; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action and give effect thereto.

On motion by Councillor Berardinetti, the Planning and Transportation Committee recommended to Council, for its meeting on October 29, 2002, that the recommendations of the Licensing Sub-Committee as contained in the report (September

20, 2002) from the City Clerk, Licensing Sub-Committee be adopted subject to amending Recommendation (1) by deleting the words "in accordance with the Municipal Act" and inserting the words "in accordance with existing election guidelines as adopted by the taxicab industry", as proposed by the Commissioner of Urban Development Services in her report (October 4, 2002), so that these recommendations now read:

- "(1) staff of Municipal Licensing and Standards, in consultation with the City Clerk, be directed to conduct a by-election, as soon as possible, in accordance with existing election guidelines as adopted by the taxicab industry, to fill the two positions on the Taxicab Advisory Committee vacated by the representatives of taxicab brokers and taxicab owners;
- (2) staff of Municipal Licensing and Standards notify by mail all licence holders qualified as electors in the by-election;
- (3) all qualified electors be provided with details for filing nominations and voting;
- (4) election day be held within 15 working days following nomination day;
- (5) voting take place at two locations: the East York Civic Centre, 850 Coxwell Avenue; and the York Civic Centre, 2700 Eglinton Avenue West; and
- (6) voting places be open on election day between the hours of 10:00 a.m. and 8:00 p.m."

(Clause No. 3, Report No. 12)

10.9 Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update

The Planning and Transportation Committee gave consideration to a communication (August 29, 2002) from Vincent Rodo, General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission, at its meeting on August 28, 2002, during its consideration of a report, entitled "Russell Hill Subway Train Accident of August 11, 1995 Due Diligence Checklist Update", adopted the following recommendations:

- "(i) that the Commission receive for information the updated Due Diligence Checklist relating to the Russell Hill Subway Train Accident of August 11, 1995, which provides a status report on the progress toward closing the Coroner's Jury Recommendations and the TTC's Internal Team Recommendations; and
- (ii) forward this report to the Chief Coroner of Ontario, the City of Toronto, and the Province of Ontario for information."

On motion by Councillor Berardinetti, the Planning and Transportation Committee received the report (August 29, 2002) from Vincent Rodo, General Secretary, Toronto Transit Commission.

(Vincent Rodo, General Secretary, Toronto Transit Commission - October 9, 2002)

(Clause No. 5(e), Report No. 12)

The meeting adjourned at 11:40 a.m.

Chair