

**THE CITY OF TORONTO**

**Clerk's Division**

**Minutes of the Planning and Transportation Committee**

**Meeting No. 7**

**Wednesday, July 2, 2003**

The Planning and Transportation Committee met on July 2, 2003, in Committee Room No. 2, City Hall, Toronto, commencing at 9:30 a.m.

| <b>Councillor</b>                    | <b>9:30 a.m.</b> |
|--------------------------------------|------------------|
| Councillor Gerry Altobello, Chair    | X                |
| Councillor Pam McConnell, Vice-Chair | X                |
| Councillor Lorenzo Berardinetti      | X                |
| Councillor Fred Dominelli            | X                |
| Councillor Joanne Flint              | X                |
| Councillor Peter Milczyn             | X                |
| Councillor Howard Moscoe             | X                |
| Councillor Kyle Rae                  | X                |

**Declarations of Interest Pursuant to the Municipal Conflict of Interest Act.**

Councillor Dominelli declared an interest with respect to Item 1 and advised that the general nature of his interest is that he leases a property to a taxicab business.

**Confirmation of Minutes**

On motion by Councillor Moscoe, the minutes of the meeting of the Planning and Transportation Committee held on June 3, 2003, were confirmed.

**7.1 Taximeter Rates for Waiting Time, Extra Passengers, Parcels, Grocery Bags and Hand Baggage**

The Council of the City of Toronto is proposing to pass by-laws to amend Toronto Municipal Code Chapter 545, Licensing, regarding Taximeter Rates for Waiting Time,

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Extra Passengers, Parcels, Grocery Bags and Hand Baggage. Committee will discuss amending Appendix C to Chapter 545, Licensing, Tariff "A" - Taxicab Rates and Fares for Waiting Time, Document or Parcel Delivery, for each Additional Passenger in Excess of Four, Charges for Grocery Bags and Cartons if loaded and unloaded by the driver, and Charges for Hand Baggage if loaded and unloaded by the driver.

The Planning and Transportation Committee gave consideration to a report (June 11, 2003) from the Commissioner, Urban Development Services respecting amendments to the Municipal Code regarding taxicab rates relative to waiting time and charges for extra passengers, bags and cartons, and parcels, and recommending that:

- (1) the recommendations to amend Chapter 545, Tariff "A" from the Taxicab Advisory Committee be approved;
- (2) these amendments become effective on August 25, 2003;
- (3) the meter rate increase that was approved by City Council on April 16, 2003 becomes effective on August 25, 2003, in conjunction with the above amendments, to allow staff sufficient time to print new tariff cards and arrange for the testing and sealing of the meters; and
- (4) 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:

- (April 22, 2003) from the City Clerk, Taxicab Advisory Committee, addressed to the Licensing Sub-Committee, advising that the Taxicab Advisory Committee, at its meeting on April 7, 2003, recommended that Appendix C to Ch. 545 Tariff "A" - Taxicab Rates and Fares be amended as follows:
  - (1) Waiting Time: Taximeter waiting time, while under engagement, be increased by approximately twenty percent in the year 2003 by increasing the charge to \$0.25 per thirty-one seconds of waiting time from the current \$0.25 per thirty-eight seconds.
  - (2) Document or Parcel Delivery: The minimum charge for the delivery of any parcel, document, or thing, where no passenger is carried, be increased to seven dollars from the current five dollars.
  - (3) For each Additional Passenger in Access of Four: An additional two dollars be charged for each passenger in excess of four passengers, keeping in mind the requirement of the *Highway Traffic Act* that the

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number of passengers must not exceed the number of seat belt assemblies provided in the vehicle.

- (4) Charges for Grocery Bags and Cartons if loaded and unloaded by the driver be deleted from Tariff "A".
- (5) Charges for Hand Baggage if loaded and unloaded by the driver be deleted from Tariff "A";

- (June 24, 2003) from Jim Bell, President, Toronto Taxicab Alliance; and
- (June 26, 2003) and (July 2, 2003) from Louis M. Seta;

The Planning and Transportation Committee held a public meeting on July 2, 2003 in accordance with the Municipal Act, 2001, and notice of the proposed enactment of the draft by-law was posted on the City's web site for two weeks. The following persons addressed the Planning and Transportation Committee:

- Larry Labovitch, Kingsboro Taxi;
- Jim Bell, President, Toronto Taxicab Alliance;
- Louis M. Seta

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting on July 2, 2003, that:

- (1) the recommendations from the Taxicab Advisory Committee to amend City of Toronto Municipal Code Chapter 545, Licensing, Tariff "A" be adopted subject to amending Recommendation (2) by deleting the words "seven dollars" and replacing with the words "ten dollars", so as to read:

"(1) Waiting Time: Taximeter waiting time, while under engagement, be increased by approximately twenty percent in the year 2003 by increasing the charge to \$0.25 per thirty-one seconds of waiting time from the current \$0.25 per thirty-eight seconds.

(2) Document or Parcel Delivery: The minimum charge for the delivery of any parcel, document, or thing, where no passenger is carried, be increased to ten dollars from the current five dollars.

- (3) For each Additional Passenger in Excess of Four: An additional two dollars be charged for each passenger in excess of four passengers, keeping in mind the requirement of the *Highway Traffic Act* that the number of passengers must not exceed the number of seat belt assemblies provided in the vehicle.
  - (4) Charges for Grocery Bags and Cartons if loaded and unloaded by the driver be deleted from Tariff "A".
  - (5) Charges for Hand Baggage if loaded and unloaded by the driver be deleted from Tariff "A"; and
- (2) (on motion by Councillor McConnell), these amendments become effective on September 2, 2003;
  - (3) (on motion by Councillor McConnell), the meter rate increase that was approved by City Council on April 16, 2003 becomes effective on September 2, 2003, in conjunction with the above amendments, to allow staff sufficient time to print new tariff cards and arrange for the testing and sealing of the meters; and
  - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto and authority be granted for the introduction of the necessary bill in Council to give effect thereto.

**(Clause No. 1, Report No. 8)**

## **7.2 Toronto Industry Network**

The Planning and Transportation Committee gave consideration to a communication (June 16, 2003) from Paul Scrivener, The Toronto Industry Network requesting that they be allowed to make a deputation to the Planning and Transportation Committee at its July 2, 2003 meeting on several concerns relating to planning and transportation matters.

The Committee also had before it the following material:

- Clause No. 15 of Report No. 4 of the Economic Development and Parks Committee, entitled "The Toronto Industry Network (All Wards)", which was

adopted, without amendment, by City Council at its meeting on May 21, 22, and 23, 2003, which is included on this agenda for the information of the Committee; and

- (undated) from Faris Shammas, Executive Director, Ontario, Canadian Plastics Industry Association.

The following persons addressed the Planning and Transportation Committee:

- Faris Shammas, Executive Director - Ontario, Canadian Plastics Industry Association; and
- Ian J. Brown, South Etobicoke Industry Employers Association.

On motion by Councillor Moscoe, the Planning and Transportation Committee encouraged the Toronto Industry Network to monitor issues affecting the industry and make their own recommendations to the respective Committees of Council.

(Mr. Paul Scrivener, The Toronto Industry Network; c.c.: Commissioner, Urban Development Services; Commissioner, Economic Development, Culture and Tourism and All Interested Persons - July 7, 2003)

**(Clause No. 7(a), Report No. 8)**

**7.3 Exemptions to Toronto Municipal Code, Chapter 591, Noise**

The Planning and Transportation Committee gave consideration to a report (June 12, 2003) from the Commissioner, Urban Development Services respecting a change in the process for seeking an exemption from the provisions of Chapter 591, Noise and an addition to § 591-4, Toronto Municipal Code, to specifically include animal noise, and recommending that:

- (1) Section 591-10 of the Toronto Municipal Code be repealed and replaced with the following:

§ 591-10. Exemptions.

- A. Any person may apply for a permit for an exemption from a noise prohibition or noise limitation provision in this chapter, in connection with an event or activity, by filing with the Commissioner the following:

- (1) An application in the form prescribed by the Commissioner; and

- (2) The non-refundable application fee set out in § 441-12A of Chapter 441, Fees.
- B. Upon receipt of an application under Subsection A, the Commissioner shall give written notice to the Councillor of any ward where the event or activity is to be held and the Councillor of the adjoining ward, where the event or activity is to be held on a boundary street between wards.
- C. The Commissioner shall issue a permit if all of the following conditions have been met:
- (1) All of the Councillors notified under Subsection B have either:
    - (a) not responded; or
    - (b) have responded indicating that they have no objection to the application being approved,within 14 days of the notice.
  - (2) The applicant has complied with all terms and conditions of approval of the last permit issued to them under this section, if any.
  - (3) The applicant has provided the following:
    - (a) The name, address and telephone number of the applicant;
    - (b) The date, time and location of the event or activity for which the permit is sought and where applicable, the number of people expected to attend;
    - (c) The purpose for which the permit is required;
    - (d) The description of any sound or construction equipment to be used;
    - (e) The name, address and telephone number of at least one contact person who will supervise the event or activity; and
    - (f) A written undertaking that one or more contact persons responsible for supervising the event or activity will be on-site during the entire event or activity to ensure compliance with the terms and conditions of the permit.

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- (4) The applicant enters into a written agreement concerning compliance with the terms and conditions of the permit.
  - (5) The applicant has paid all required fees.
- D. A permit issued under Subsection C shall be subject to the following terms and conditions:
- (1) The sound emitted from any equipment shall not exceed an Equivalent Sound Level (Leq) of 85 dBA when measured 20 metres from the source over a five-minute period;
  - (2) Where the sound level exceeds 85 dBA, the applicant shall comply with any request made by an Officer of the Toronto Police Service or a Municipal Law Enforcement Officer of the Municipal Licensing and Standards Division with respect to the volume of sound from the equipment to ensure compliance with Subsection D(1);
  - (3) No sound or construction equipment other than the equipment approved under the permit shall be used by the applicant;
  - (4) The event or activity shall be restricted to the approved location; and
  - (5) The permission granted is for the date and times for the event or activity as set out in the permit.
- E. Where the Commissioner refuses to grant a permit under this section, the applicant shall be notified in writing and advised that they may appeal the Commissioner's decision to the Community Council which has jurisdiction for the location of the proposed event or activity by filing an appeal within 21 days of the date of the notice, along with the applicable fee as set out in § 441-12A of Chapter 441, Fees, with the City Clerk at the address shown on the notice.
- F. Notice of hearing shall be sent to all residents within 60 metres of the location where the event or activity is proposed to be held as shown on the last revised assessment rolls and at the applicant's expense.
- G. Where the location of the proposed event or activity under appeal falls on the boundary street of more than one Community Council, each affected Community Council shall provide its recommendations to the Planning

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and Transportation Committee for its consideration of the appeal under Subsection E.

- H. Council may issue or refuse a permit.
- I. If Council issues a permit, the permit is subject to the conditions set out in Subsection D, unless Council provides otherwise, and any other conditions respecting health, safety and nuisance as it considers advisable.
- J. Council may require, as a condition of approval, that City staff monitor the sound levels resulting from the event or activity at the expense of the applicant with the charge as set out in § 441-12B of Chapter 441, Fees.
- K. Despite anything contained in this section, where an application for a permit is made by the City or any of its agencies, boards or commissions:
  - (1) The application shall be submitted directly to the Commissioner by the City department, agency, board or commission seeking the permit.
  - (2) The fees in §441-12A do not apply.
  - (3) Subsection C(3)(e) and (f) do not apply.
- (2) The Table to § 591-4 of Chapter 591, Noise, of the Toronto Municipal Code be amended to prohibit, at all times, in a Quiet Zone or Residential Area, any noise relating to the persistent barking, calling or whining or other similar persistent noise-making by any domestic pet or any other animal kept or used for any purpose;
- (3) Section § 441-12A of Chapter 441, Fees, be amended to repeal the \$100.00 fee for the preparation of a report and the \$100.00 fee for the preparation of agenda material and in its place, provided for a permit application fee of \$100.00, an appeal application fee of \$200.00 and any other consequential amendments to § 441-12 arising out of the amendments set out in Recommendation (1); and
- (4) The City Solicitor be authorized to prepare and introduce in Council the necessary bill to give effect thereto, subject to such technical amendments as may be deemed necessary or appropriate.

The Committee also had before it a communication (July 1, 2003) from Brian Maguire, Secretary, North Hill District Home Owners' Association.

No one addressed the Planning and Transportation Committee.



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On motion by Councillor McConnell, the Planning and Transportation Committee recommended the adoption of the report (June 12, 2003) from the Commissioner, Urban Development Services subject to amending Recommendation (1) F. by deleting the words "60 metres" and inserting the words "100 metres", so as to read:

"(1) F. Notice of hearing shall be sent to all residents within 100 metres of the location where the event or activity is proposed to be held as shown on the last revised assessment rolls and at the applicant's expense";

and submitted this report to the Policy and Finance Committee for consideration of its financial impact and for subsequent submission to City Council.

The following motions placed by Councillor Moscoe were voted on and lost:

"That the following amendments be made to the report (June 12, 2003) from the Commissioner of Urban Development Services:

(1) Item B. of Recommendation (1) be amended by deleting the words "on a boundary street between wards" and replacing with the words "within 50 metres of the boundary of a ward", so as to read:

"B. Upon receipt of an application under Subsection A, the Commissioner shall give written notice to the Councillor of any ward where the event or activity is to be held and the Councillor of the adjoining ward, where the event or activity is to be held within 50 metres of the boundary of a ward.";

(2) amending Item C. of Recommendation (1) subject to ensuring that the respective Councillor has the right to cause staff to convene a meeting involving the applicant, staff and respective Councillors to discuss the situation; and

(3) amending Item G. of Recommendation (1) by deleting the words "'on the" and replacing with the words "within 50 metres of a", so as to read:

- “G. Where the location of the proposed event or activity under appeal falls within 50 metres of a boundary street of more than one Community Council, each affected Community Council shall provide its recommendations to the Planning and Transportation Committee for its consideration of the appeal under Subsection E.”

(Policy and Finance Committee; c.c.: Commissioner, Urban Development Services and John Dilallo, Manager, Financial Planning, Urban Development Services - July 3, 2003)

**(Clause No. 7(b), Report No. 8)**

#### **7.4 Establishment of Building Permit Service Delivery Reserve - All Wards**

The Planning and Transportation Committee gave consideration to a report (June 10, 2003) from the Commissioner, Urban Development Services respecting the creation of a reserve for the Building Division, Urban Development Services, and recommending that:

- (1) City Council establish a reserve called the “Building Permit Service Delivery Reserve” to hold funds generated by building permit fees collected during 2003, that will be used to finance building permit service delivery improvements in 2004 and 2005;
- (2) Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the “Building Permit Service Delivery Reserve” to Schedule “A1”; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

On motion by Councillor Milczyn, the Planning and Transportation Committee recommended the adoption of the report (June 10, 2003) from the Commissioner, Urban Development Services and submitted this report to the Policy and Finance Committee for consideration of its financial impact and for subsequent submission to City Council.

(Policy and Finance Committee; c.c.: Commissioner, Urban Development Services and John Dilallo, Manager, Financial Planning, Urban Development Services - July 3, 2003)

**(Clause No. 7(c), Report No. 8)**

**7.5 Establishment of an Architectural Award Program for a Public and Private Sector Development**

The Planning and Transportation Committee gave consideration to a report (June 5, 2003) from the Commissioner, Urban Development Services responding to the request of the Planning and Transportation Committee on the establishment of an annual architectural award for a public and a private sector development, informing the Committee about the City of Toronto Urban Design Awards Program that is already in place, and recommending that this report be received for information.

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

- (1) received the report (June 5, 2003) from the Commissioner of Urban Development Services for information; and
- (2) requested the Commissioner, Urban Development Services to include Councillor McConnell in the composition of the sub-committee to work on the development of a “Beautiful City Campaign” established by the Planning and Transportation Committee at its meeting on December 13, 2002.

(Commissioner, Urban Development Services; c.c.: Councillor McConnell - July 7, 2003)

**(Clause No. 7(d), Report No. 8)**

**7.6 Properties in Ward 16 - Tree Protection**

The Planning and Transportation Committee gave consideration to a report (June 10, 2003) from the Commissioner, Urban Development Services responding to the request of City Council to report on temporary measures to protect the Ward 16 properties without a harmonized tree protection by-law, and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (June 10, 2003) from the Commissioner of Urban Development Services for information.

**(Clause No. 7(e), Report No. 8)**

**7.7 Sheppard Avenue Corridor Study - Terms of Reference - File: TF WPS 2002 0004**

The Planning and Transportation Committee gave consideration to a report (June 11, 2003) from the Commissioner, Urban Development Services presenting detailed terms of reference for the Sheppard Avenue Corridor Study, and recommending that City Council endorse the attached Terms of Reference for the Sheppard Avenue Corridor Study.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended to City Council, for its meeting to be held on July 22, 2003, the adoption of the report (June 11, 2003) from the Commissioner of Urban Development Services

**(Clause No. 2, Report No. 8)**

**7.8 Planning and Future Development of the Village of Yorkville - Toronto Centre-Rosedale, Ward 27**

The Planning and Transportation Committee gave consideration to a joint report (June 6, 2003) from the Commissioner, Urban Development Services and the Commissioner, Economic Development, Culture and Tourism reviewing the planning framework in place to protect the architectural and heritage fabric of Yorkville, requesting a further report respecting additional safeguards, and recommending that the Commissioner of Urban Development Services be requested to report to the Planning and Transportation Committee in March 2004, on the harmonization of the North Midtown Design Guidelines and the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning and Urban Design Consultants.

The following persons addressed the Planning and Transportation Committee:

- Lela Gary, Air Pollution Coalition of Ontario; and
- Linda Chu, Save Yorkville Heritage Association and ABC Residents Association.

On motion by Councillor Rae, the Planning and Transportation Committee adopted the joint report (June 6, 2003) from the Commissioner, Urban Development Services and the Commissioner, Economic Development, Culture and Tourism, and in so doing requested the Commissioner, Urban Development Services to report to the Planning and Transportation Committee in March 2004, on the harmonization of the North Midtown Design Guidelines and the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning and Urban Design Consultants.

(Commissioner, Urban Development Services; c.c.: Commissioner, Economic Development, Culture and Tourism and All Interested Persons - July 4, 2003)

**(Clause No. 7(f), Report No. 8)**

### **7.9 Carsharing On-Street Parking Permits (City-wide)**

The Planning and Transportation Committee gave consideration to a report (June 13, 2003) from the Commissioner, Works and Emergency Services reporting, as requested by City Council, on the effects of the "blanket" parking permits related to the "Autoshare" programme on the availability of permit parking spaces, together with any further recommendations if necessary, and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (June 13, 2003) from the Commissioner of Works and Emergency Services for information.

**(Clause No. 7(g), Report No. 8)**

### **7.10 City-wide Appointments to the Public Art Commission (All Wards)**

The Planning and Transportation Committee gave consideration to a report (June 2, 2003) from the Commissioner of Urban Development Services seeking approval to nominate city-wide appointments to the Public Art Commission, and recommending that Council support the nomination of city-wide appointments to the Public Art Commission.

On motion by Councillor Milczyn, the Planning and Transportation Committee recommended to City Council, for its meeting to be held on July 22, 2003, the adoption of the report (June 2, 2003) from the Commissioner of Urban Development Services subject to amending the composition of the Public Art Commission to include either a residential or professional representative from each of the service districts.

**(Clause No. 3, Report No. 8)**

### **7.11 Through-way Truck Lanes on Highway 401**

The Planning and Transportation Committee gave consideration to a report (June 17, 2003) from the Commissioner, Works and Emergency Services responding to a request from the Planning and Transportation Committee for additional information on issues related to truck traffic on Highway 401, and recommending that this report be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (June 17, 2003) from the Commissioner, Works and Emergency Services for information.

**(Clause No. 7(h), Report No. 8)**

### **7.12 Toronto Licensing Tribunal Biannual Report**

The Planning and Transportation Committee gave consideration to a report (June 12, 2003) from the Chair, Toronto Licensing Tribunal responding to Section H of Chapter 545-3 (Licensing) of the Municipal Code, which directs that the Toronto Licensing Tribunal report biannually to the appropriate Committee of City Council (currently Planning and Transportation Committee) in respect of any policy or administrative issue which the Toronto Licensing Tribunal wishes the said Committee to review and consider. The report also reports on its activities since the restructuring of the Commission; briefly presents an outline of the Tribunal's purpose, composition and case statistics; and recommends that:

- (1) the membership of the Licensing Tribunal be reduced from seven to six;
- (2) a training program for new members be implemented;
- (3) direction be provided to the Tribunal for future reporting as Chapter 545-3 (H) (of the Municipal Code currently indicates that the Tribunal shall report when it has any policy or administrative issues it wishes the Committee to review and consider.

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

- (1) recommended to City Council, for its meeting to be held on July 22, 2003, that Recommendations (2) and (3) of the report (June 12, 2003) from the Chair, Toronto Licensing Tribunal be adopted; and

- (2) referred Recommendation (1) of the report (June 12, 2003) from the Chair, Toronto Licensing Tribunal respecting a reduction in the membership of the Licensing Tribunal from seven to six members to the Chief Administrative Officer for consideration when preparing her report to the ABC Ad Hoc Committee on reducing membership on the Toronto Licensing Tribunal from 7 to 6 members as requested by City Council at its meeting on April 14, 15 and 16, 2003 (Clause 1 of Report 3 of the Nominating Committee refers).

(Chief Administrative Officer; c.c.: ABC Ad Hoc Committee and Chair, Toronto Licensing Tribunal - July 4, 2003)

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

### **7.13 Establishing a Toll Pilot Project**

The Planning and Transportation Committee gave consideration to a communication (June 2, 2003) from the City Clerk advising that City Council, at its meeting on May 21, 22 and 23, 2003, referred the following Motion to the Planning and Transportation Committee for consideration:

"Whereas Council, by adopting the new Official Plan, made a long term commitment to public transit; and

Whereas, to support that commitment, the City of Toronto should be expanding and enhancing TTC services and encouraging drivers to favour the use of public transit over cars; and

Whereas the only operating tax money that the public transit system receives comes from property taxes collected within the City of Toronto; and

Whereas commuters who opt to drive into Toronto from the 905 areas, rather than take the public transit system, place an inordinate burden on the property tax base of Toronto, without contributing to the public transit system; and

Whereas the City of London, England, has recently introduced a toll system, in order to encourage commuters to abandon their cars in favour of public transit;

Now Therefore Be It Resolved That the City establish a tolling pilot project;

And Be It Further Resolved That it consist of a toll for inbound cars at the Mimico Creek boundary, on the centre core lanes only, of the Queen Elizabeth Highway;

And Be It Further Resolved That the tolls be in place during the hours of 7:00 a.m. to 6:00 p.m. weekdays;

And Be It Further Resolved That the toll be established at the level of the average 'GO' fare and the estimated \$1 million a day that this would raise, after expenses, be directed to support public transit in Toronto;

And Be It Further Resolved That this matter be forwarded to the Chief Administrative Officer, with a request that she report on the operational and policy aspects of this matter to the Planning and Transportation Committee."

Faye Lyons, Municipal Affairs Specialist, Canadian Automobile Association, Central Ontario, addressed the Planning and Transportation Committee.

On motion by Councillor Milczyn, the Planning and Transportation Committee received this motion for information.

The following motion placed by Councillor Moscoe was placed and not voted upon.

"That this matter be deferred until the Commissioner of Urban Development Services has arranged for a staff presentation to be given to the Planning and Transportation Committee after consultation with London Transport on traffic congestion changes introduced in London."

**(Clause No. 7(i), Report No. 8)**

#### **7.14 Request for Legislative Authority to Levy Tolls**

The Planning and Transportation Committee gave consideration to a communication (June 2, 2003) from the City Clerk advising that City Council, at its meeting on May 21, 22 and 23, 2003, referred the following Motion to the Planning and Transportation Committee for consideration:

"Whereas the City of Toronto will have capital shortfalls in coming years; and



Whereas the City of Toronto needs to develop revenues other than property taxes;  
and

Whereas other municipalities have authority to levy tolls on highways (London, England);

Now Therefore Be It Resolved That the City of Toronto request the Province of Ontario for legislative authority to develop these rights to tax;

And Be It Further Resolved That the Chief Administrative Officer, in consultation with the City Solicitor, be requested to prepare a private Bill for presentation to Provincial parliament;

And Be It Further Resolved That the Mayor's office be requested to develop a special task force of Members of Council and residents to pursue these initiatives;

And Be It Further Resolved That the Chief Administrative Officer be requested to prepare a report on these matters to be presented to the Policy and Finance Committee."

On motion by Councillor Milczyn, the Planning and Transportation Committee received this motion for information.

The following motion placed by Councillor Moscoe was placed and not voted upon.

"That this matter be deferred until the Commissioner of Urban Development Services has arranged for a staff presentation to be given to the Planning and Transportation Committee after consultation with London Transport on traffic congestion changes introduced in London."

**(Clause No. 7(j), Report No. 8)**

#### **7.15 Proposed Ban or Restriction on Rickshaws in the City of Toronto**

The Planning and Transportation Committee gave consideration to a communication (June 2, 2003) from the City Clerk advising that City Council, at its meeting on May 21, 22 and 23, 2003, referred the following Motion to the Planning and Transportation Committee for consideration:

"Whereas the City of Toronto has received hundreds of complaints about rickshaw operators abusing passengers, particularly tourists, in the core of the City; and

Whereas rickshaws tend to severely damage the reputation of the City of Toronto's tourism market; and

Whereas rickshaws are a hazard to both pedestrians and traffic; and

Whereas the presence of rickshaws in the City of Toronto represents a severe nuisance;

Now Therefore Be It Resolved That the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to either ban or significantly restrict rickshaws within the City;

And Be It Further Resolved That the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, in consultation with the City Solicitor, be requested to submit a report to the Planning and Transportation Committee on this matter;

And Be It Further Resolved That the City Solicitor be requested to prepare a draft By-law for consideration at the public meeting;

And Be It Further Resolved That notice of the proposed By-law be given in accordance with the Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the Municipal Act, 2001."

The Committee also had before it the following communications:

- (May 28, 2003) and (June 30, 2003) from Joseph White, Kehoe Rickshaws;
- (undated) from Michael Langille.;
- (June 23, 2003) from Leandre Casselman, Vice President, Orient Express Rickshaws;
- (June 26, 2003) from Josh Thorpe;
- (June 30, 2003) from Luc Leclair, Barrister & Solicitor, Avocat; and

- (June 30, 2003) from Josef Ebner, CHA, Regional Vice President & Managing Director, Delta Chelsea, Downtown Toronto.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the motion contained in the communication (June 2, 2003) from the City Clerk, to the Commissioner, Urban Development Services and the Commissioner of Economic Development, Culture and Tourism with a request that they report, in consultation with the City Solicitor, to a public meeting under the Municipal Act to be conducted by the Planning and Transportation Committee for which appropriate notice to all interested parties be given, and include in the report an outline of the major complaints and difficulties with enforcement and provide recommendations respecting possible changes to the by-law.

(Commissioner, Urban Development Services and Commissioner, Economic Development, Culture and Tourism; c.c.: City Solicitor and All Interested Persons - July 4, 2003)

**(Clause No. 7(k), Report No. 8)**

**7.16 Window Safety Locks**

The Planning and Transportation Committee gave consideration to a communication (May 30, 2003) from Councillor Kelly noting By-law No. 629-22 of the Toronto Municipal Code, Property Standards contains the following requirement:

- "E. In every multiple-dwelling, every window, any part of which is capable of being opened, that does not lead to a balcony and that is located two metres or more above the finished grade of land upon which it faces, shall be equipped with a safety device to prevent an opening in any part of the window greater than 100 millimetres.",

and advising that he would like to explore having the By-law amended to confine the restriction to residences where small children reside.

On motion by Councillor Altobello, with Councillor McConnell in the Chair, the Planning and Transportation Committee requested the Commissioner, Urban Development Services to report to the Planning and Transportation Committee on the suggested changes to Toronto Municipal Code Chapter 629, Property Standards as

noted in the communication (May 30, 2003) from Councillor Kelly and to review any potential exemptions which could be made to the requirement for window safety devices for buildings which are adult only or seniors residences.

(Commissioner, Urban Development Services - July 4, 2003)

**(Clause No. 7(1), Report No. 8)**

**7.17 39 Greenbelt Drive, Fees Appeal by English Lane Homes to the Ontario Municipal Board, Pursuant to Section 69(3) of the *Planning Act*, Ward 34**

On motion by Councillor Flint, the Planning and Transportation Committee adjourned its public session at 11:23 a.m. to meet in-camera to consider a matter or matters relating to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Planning and Transportation Committee gave consideration to a Confidential report (June 25, 2003) from the City Solicitor respecting 39 Greenbelt Drive, Fees Appeal by English Lane Homes to the Ontario Municipal Board, pursuant to Section 69(3) of the *Planning Act*, 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 Milczyn, the Planning and Transportation Committee:

- (1) submitted to Council, for its meeting to be held on July 22, 2003, without recommendation, the in-camera report (June 25, 2003) from the City Solicitor which was forwarded to Members of Council under confidential cover, and that in accordance with the Municipal Act, discussions be held in-camera having regard that the subject matter relates to solicitor-client privilege, including communications necessary for that purpose; and
- (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to submit an in-camera report to City Council for its meeting on July 22, 2003 in accordance with the confidential instructions provided by the Committee.

(Commissioner, Urban Development Services and City Solicitor - July 4, 2003)

**(Clause No. 5, Report No. 8)**

**7.18 Physical Activity and Public Health: A Call to Action**

The Planning and Transportation Committee gave consideration to a report (June 19, 2003) from the Secretary, Board of Health advising that the Board of Health, at its meeting on June 16, 2003, amended and adopted the attached report (June 4, 2003) from the Medical Officer of Health regarding physical activity and public health and, in so doing:

- (A) recommended to Council, for its meeting on July 22, 2003, that:
- (1) the Medical Officer of Health initiate a Call to Action by convening a Physical Activity Leadership Group involving key community and institutional stakeholders to plan and implement inter-sectoral action to increase physical activity in the population as a whole, beginning with children, youth and their families;
  - (2) the Physical Activity Leadership Group develop an action plan to improve physical activity levels across the City and that this be reported back to the Board of Health through the Medical Officer of Health in early 2004;
  - (3) the Physical Activity Leadership Group be requested to make every effort to address reciprocity of services between the City and the Toronto District School Board and the Toronto District Catholic School Board, issues such as snow clearing and recycling in exchange for the opening up of gymnasiums in the evening for physical exercise and, further, that the Leadership Group look at opportunities to make further use of parks in the City for sport groups;
  - (4) the Commissioner of Economic Development Culture and Tourism be requested to report to the Budget Advisory Committee and Council on the withdrawal of user fees that are discouraging citizens from taking recreational programs in the City of Toronto;
  - (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (B) (1) endorsed the Medical Officer of Health's Call to Action and directed that this report be forwarded for information and appropriate action to

Community Services Committee, Economic Development and Parks Committee, Planning and Transportation Committee, and Children and Youth Action Committee with a request that they submit their comments thereon directly to Council for consideration at its meeting on July 22, 2003;

- (2) directed that this report be forwarded for information and appropriate action to the relevant federal and provincial departments, ministries, and groups, including Health Canada and Sport Canada, the Ontario Ministries of Health and Long-Term Care, Tourism and Recreation, and Community, Family and Children's Services, the Ontario Public Health Association, the Ontario Physical and Health Education Association and the Association of Local Public Health Agencies, the Chronic Disease Prevention Alliance of Canada and the Active Living Coalition of Older Adults;
- (3) the report also be forwarded to the Provincial Minister of Education with special reference to (a) the curriculum issue viz., the requirement for only one credit in physical and health education in order to graduate from secondary school; and (b) the severe restrictions imposed on community use of schools by the school funding formula;
- (4) recommended to the Minister of Education that teachers not cancel gym or other forms of physical activities as a punishment choice.

The Committee also had before it a communication (July 2, 2003) from Russ Armstrong, Acting President, CUPE, Local 79.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the communication (June 19, 2003) from the Secretary, Board of Health for information.

**(Clause No. 7(m), Report No. 8)**

**7.19 Enhanced Mosquito Control Activities to Prevent and Control West Nile Virus**

The Planning and Transportation Committee gave consideration to a report (June 17, 2003) from the Secretary, Board of Health advising that the Board of Health, at its meeting on June 16, 2003, amended and adopted the attached report (June 12, 2003) from the Medical Officer of Health, regarding enhanced mosquito control activities to prevent and control West Nile Virus and, in so doing:

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- (1) endorsed the process for decision-making on enhanced mosquito control, including adult mosquito control, to prevent and control West Nile virus (WNV) as outlined in this report;
- (2) directed that copies of this report be forwarded to the members of the West Nile Virus Advisory Committee for their review and comment to the Toronto Interdepartmental Environment Committee;
- (3) directed that a copy of this report be forwarded for information to City Council through the Economic Development and Parks Committee, the Planning and Transportation Committee and the Works Committee;
- (4) directed that copies of this report be forwarded to the Ontario Public Health Association, the Association of Local Public Health Agencies, the Ontario Ministry of Environment and the Ontario Ministry of Health and Long Term Care for their information;
- (5) directed that communication plans and materials be forwarded to the WNV Advisory Committee for review before implementation and/or distribution;
- (6) requested the Medical Officer of Health to report to the Board on a program to monitor the effectiveness of public education and outreach activities; and
- (7) authorized and directed the appropriate City officials to take the necessary action to give effect thereto.

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

- (1) forwarded the communication (June 17, 2003) from the Secretary, Board of Health to City Council for information; and
- (2) requested the Commissioner of Urban Development Services to report directly to City Council for its meeting on July 22, 2003 on the cost implications of hiring two additional enforcement staff for each of the four districts for an appropriate time in order to assist in the implementation of a West Nile Virus inspection and prevention program.

(Commissioner, Urban Development Services; c.c.: Secretary, Board of Health - July 4, 2003)

**(Clause No. 6, Report No. 8)**

The meeting adjourned at 11:35 a.m.

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Chair