

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting 3

Monday, May 1, 2006

The Planning and Transportation Committee met on Monday, May 1, 2006, in Committee Room No. 1, City Hall, Toronto, commencing at 9:35 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:35 a.m. to 12:40 p.m.	2:05 p.m. to 2:16 p.m.
Councillor John Filion, Chair	X	X
Councillor Karen Stintz, Vice- Chair	X	X
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn	X	X
Councillor Denzil Minnan-Wong	X	
Councillor Howard Moscoe	X	X
Councillor Case Ootes	X	
Councillor Michael Thompson	X	X

On motion by Councillor Stintz, the Planning and Transportation Committee confirmed the Minutes of its meeting held on March 6, 2006.

3.1 Parking Space Dimensions Zoning Review Supplementary Report No. 2 (Public Meeting under the *Planning Act*)

The Planning and Transportation Committee considered a report (April 10, 2006) from the Chief Planner and Executive Director, City Planning, recommending the adoption of harmonized zoning regulations for parking space dimensions.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 1;
- (2) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 2;
- (3) amend Zoning By-law 1-83 for the former City of York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 3;
- (4) amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 4;
- (5) amend Zoning By-laws 6752 and 1916 for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 5;
- (6) amend the Community and Employment Districts Zoning By-laws for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendments, attached as Attachments 6 to 37;
- (7) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required;
- (8) authorize the City Solicitor to bring forward the Bills to enact the parking space by-law to the first meeting of City Council after April 30, 2007;
- (9) authorize City Planning and Building staff to advise all applicants beginning June 1, 2006 that the City proposes to amend the zoning by-law to change the size of a parking space; and
- (10) authorize City Planning staff to place a notice in the newspaper advising the public of the zoning by-law changes and timing of the enactment of the by-laws following City Council adoption of the Planning and Transportation Committee recommendations approving the new parking space dimensions and by-law phase-in. A second notice should be placed in the newspaper in January 2007 advising of these changes.

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The Planning and Transportation also considered a report (April 28, 2006) from the Chief Planner and Executive Director, City Planning, recommending a modification to the proposed parking space width dimension.

Recommendations:

- (1) The draft zoning by-laws attached to the April 10, 2006 City Planning report be amended to replace the proposed minimum parking space width of 2.7 m with a width of 2.6 m; and
- (2) The recommendations of the April 10, 2006 City Planning report be adopted.

The following persons addressed the Planning and Transportation Committee:

- Paula Tenuta, Greater Toronto Home Builders' Association; and
- Ralph Bond, obo Oxford Properties and Morguard.

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

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 10, 2006) from the Chief Planner and Executive Director, City Planning, as amended by report (April 26, 2006) from the Chief Planner and Executive Director, City Planning, in which it is recommended that the draft zoning by-laws be amended by deleting the proposed minimum parking space width of "2.7 m" and replacing with a minimum parking space width of "2.6 m; and
- (2) received the following communications:
 - (a) (February 24, 2006) from Paula J. Tenuta, Director, Municipal Government Relations, Greater Toronto Home Builders' Association;
 - (b) (March 9, 2006) from Julie Di Lorenzo, Diamante Development Corporation;
 - (c) (March 13, 2006) from John M. Alati, Davies Howe Partners;
 - (d) (March 24, 2006) from John Filipetti, Vice President, Development, Oxford Properties Group;
 - (e) (April 27, 2006) from Paula Tenuta, Director, Municipal Government Relations, Greater Toronto Home Builders' Association;

- (f) (April 27, 2006) from Ralph S. Bond, BA Consulting Group Ltd.;
- (g) (April 27, 2006) from Leslie Yager; and
- (h) (April 28, 2006) from Jeffrey L. Davies, Davies Howe Partners, Lawyers.

(Report 3, Clause 1)

3.2 Committee of Adjustment

The Planning and Transportation Committee considered a report (April 5, 2006) from the Chief Planner and Executive Director, City Planning, reporting on existing training standards, practices and other issues regarding the four panels of the Committee of Adjustment and recommending further initiative to improve consent and minor variance processes and ensure accountable decision making.

Recommendations:

It is recommended that for the 2006 - 2009 term of the Committee of Adjustment:

- (1) the Chief Planner and Executive Director of the City Planning Division, in consultation with the City Solicitor and City Manager, update the Committee of Adjustment Panel Members Manual to include the following topics: Role of the City-wide Chair, Panel Members and Deputy Secretary-Treasurers; updated Code of Conduct, Conflict of Interest and Lobbyist policies; discussion papers on relevant training topics and briefing sessions held by Committee Panels; and any other material deemed appropriate;
- (2) the Chief Planner and Executive Director of the City Planning Division, in consultation with the City-wide/Panel Chairs, identify panel specific training requirements, based on the needs and level of experience of the new and/or returning members, and provide the appropriate in-house training sessions using existing corporate resources;
- (3) the Chief Planner and Executive Director of the City Planning Division, in consultation with the City-wide/Panel Chairs, consider the costs and benefits of outside training for members of the Committee of Adjustment, within the parameters of the existing budget; and
- (4) the Manager/Deputy Secretary-Treasurers continue on-going improvement initiatives regarding harmonized documents and practices by delivering the Committee of Adjustment Staff Members Manual, enhancing existing public information material and building a more effective Committee web site.

The following persons addressed the Planning and Transportation Committee:

- Michael Constock;
- Stig Harvor, and filed a copy of his submission;
- Paul Smith, St. Lawrence Condo Ratepayers Association; and
- Hugh-Francis Burns, St. Lawrence Neighbourhood Association.

A. Councillor Moscoe moved that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (April 5, 2006) from the Chief Planner and Executive Director, City Planning; and
- (2) the Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor, be requested to prepare a discussion paper on “what is minor”, such discussion paper to also include statistics on variances approved where planning staff had previously recommended the variances were not minor in height and floor space index, and report thereon to the for the Planning and Transportation Committee meeting of September 5, 2006.

(Carried)

B. Councillor Thompson moved that the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Transportation Committee meeting of September 5, 2006, on the options as to how to notify BIAs and ratepayers groups on pre-application discussions.

(Carried)

(Report 3, Clause 2)

3.3 “Toronto Office Market” Bulletin

The Planning and Transportation Committee considered a report (April 12, 2006) from the Chief Planner and Executive Director, City Planning, updating the Planning and Transportation Committee on the status of the office market in the City and the GTA.

Recommendation:

It is recommended that Planning and Transportation Committee receive this report for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (April 12, 2006) from the Chief Planner and Executive Director, City Planning.

(Report 3, Clause 10(a))

3.4 Profile Toronto: Employment Survey – 2005

The Planning and Transportation Committee considered a report (April 12, 2006) from the Chief Planner and Executive Director, City Planning, updating the Planning and Transportation Committee on the results of the 2005 Toronto Employment Survey.

Recommendation:

It is recommended that Planning and Transportation Committee receive this report for information.

On motion by Councillor Thompson, the Planning and Transportation Committee received the report (April 12, 2006) from the Chief Planner and Executive Director, City Planning.

(Report 3, Clause 10(b))

3.5 Graffiti Transformation Investment Program: 2006 Recommendations

The Planning and Transportation Committee considered a report (April 6, 2006) from the Chief Planner and Executive Director, City Planning, recommending grants to 19 organizations for the removal of graffiti and the transformation of vandalized surfaces into murals.

Recommendations:

It is recommended that:

- (1) the Graffiti Transformation Investment Program grants be allocated to 19 community groups totalling \$309,330, as outlined in Appendix “A” of this report; and

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(2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

A. Councillor Minnan-Wong moved:

(1) the Planning and Transportation Committee recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (April 6, 2006) from the Chief Planner and Executive Director, City Planning; and

(2) the Executive Director, Municipal Licensing and Standards be requested to report to the Planning and Transportation Committee meeting of June 1, 2006, providing an analysis as to whether graffiti has increased throughout the City and the capacity of staff to respond to complaints.

(Carried)

B. Councillor Moscoe moved that the Executive Director, Municipal Licensing and Standards be requested to report to the Planning and Transportation Committee meeting of June 1, 2006, on what measures the City has and the capacity for the removal of graffiti from public spaces.

(Carried)

(Report 3, Clause 3)

3.6 Review of Re-applications to be Included in the City's List of Approved Professional Holistic Associations

The Planning and Transportation Committee considered a report (April 11, 2006) from the Executive Director, Municipal Licensing and Standards, recommending to the Planning and Transportation Committee an additional list of Professional Holistic Associations that meet the City of Toronto's criteria with respect to the licensing of holistic practitioners.

Recommendations:

It is recommended that:

(1) the following three holistic associations be included in Toronto Municipal Code Chapter 545, Licensing, Appendix L, and that these associations be recognized as Professional Holistic Associations for the purposes of licensing holistic practitioners and owners:

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- (a) Canadian Examining Board of Health Care Practitioners Inc.;
 - (b) Shiatsu Society of Ontario; and
 - (c) World Peace and Natural Health Association;
- (2) any new applications received to be considered Professional Holistic Associations, be reviewed and a report prepared for the Planning and Transportation Committee meeting of July 4, 2006;
- (3) the City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report, effective immediately; and
- (4) all other appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 11, 2006) from the Executive Director, Municipal Licensing and Standards.

(Report 3, Clause 4)

3.7 Review of Tow Rates

The Planning and Transportation Committee considered a report (April 5, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on findings and recommendations arising from consultations with the ad hoc Towing Industry Working Group.

Recommendations:

It is recommended that:

- (1) City of Toronto Municipal Code, Chapter 545, Article VI, Sections 545-102 (B)(1) and 545-103 (B)(1) & (2) be amended in order to implement an increase to the fixed rates for tows from private property, accident scenes, and accident scenes on major highways according to the following table; and

Towing From:	Current Tow Rates	Proposed Tow Rates
Private Property	\$ 80.00	\$ 88.00
Accident Scenes	\$ 150.00	\$ 166.00
Accident Scenes on Major Highways	\$ 170.00	\$ 188.00

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- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The following persons addressed the Planning and Transportation Committee:

- Bob Gutwein, Accident Support & Services Int. Ltd., and filed a copy of his submission;
- Joseph E. Gagne, President, Provincial Towing Association of Toronto;
- Aris Marinos, EY Towing;
- Daniel V. Sanderson, North American Auto Accident Pictures Inc., and filed a copy of his submission;
- Amin A-Mohammed, Auto Route Towing Inc.;
- Hubert Leach, Coalition of Taxi Drivers; and
- Harold Markle, Canadian Towing Equipment.

Councillor Filion appointed Councillor Stintz Acting Chair and vacated the Chair.

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

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 5, 2006) from the Executive Director, Municipal Licensing and Standards; and
- (2) requested the Executive Director, Municipal Licensing and Standards Division, after consulting with industry stakeholders, to report to the Planning and Transportation Committee for its meeting of September 5, 2006, on the viability of amending the City of Toronto Municipal Code so as to establish rates for all services provided by tow truck owners and furthermore, to require tow truck owners to provide the established rates to customers prior to the commencement of any towing services.

Councillor Filion resumed the Chair.

(Report 3, Clause 5)

3.8 Regularly Recurring Garage Sales

The Planning and Transportation Committee considered a report (April 4, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on the methods used by other jurisdictions to regulate regularly recurring garage sales and to recommend options for the regulating of garage sales in the City of Toronto.

Recommendations:

It is recommended that:

- (1) City Council declare its opinion, under Section 128 of the *Municipal Act, 2001*, that if garage sales in residential zones are not restricted as described in the draft by-law in Appendix 1, they could become or cause public nuisances;
- (2) authority be granted to introduce a bill in Council substantially in the form of the draft by-law in Appendix 1; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 4, 2006) from the Executive Director, Municipal Licensing and Standards.

(Report 3, Clause 6)

3.9 Operation of Construction Equipment in Residential Neighbourhoods on Sundays and Statutory Holidays

The Planning and Transportation Committee considered a report (April 5, 2006) from the Executive Director, Municipal Licensing and Standards, reporting back on possible amendments to the Noise By-law, which would limit the operation of construction equipment on Sundays and Statutory holidays, in residential neighbourhoods.

Recommendations:

It is recommended that:

- (1) City Council amend Chapter 591, Noise, of the City of Toronto Municipal Code by adopting the proposed by-law provisions contained in Appendix A; and

(2) the City Solicitor be directed to prepare the necessary bill, as required, to give effect to the recommendations contained in Appendix A, of this report.

A. Councillor Stintz moved:

(1) the Planning and Transportation Committee recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (April 5, 2006) from the Executive Director, Municipal Licensing and Standards; and

(2) the following communications be received:

(a) (April 28, 2006) from Paula J. Tenuta, Director, Municipal Government Relations, Greater Toronto Home Builders' Association; and

(b) (May 1, 2006) from the Gooderham and Worts Neighbourhood Association.

(Carried)

B. Councillor Moscoe moved that the Planning and Transportation Committee defer consideration of the following Motion until its meeting of June 1, 2006, and requested that all ratepayers associations, condominium boards and the construction industry be so advised:

“Prohibit the use of construction equipment on Sundays and holidays within 100 metres of any residential dwelling units.”

(Carried)

(Report 3, Clause 7)

3.10 Specifications for Safety Camera Systems in Taxicabs

The Planning and Transportation Committee considered a report (April 13, 2006) from the Executive Director, Municipal Licensing and Standards, reporting on the specifications required for safety camera systems in taxicabs and to outline the process used to develop these specifications.

Recommendation:

It is recommended that this report be received for information.

Hubert Leach, Coalition of Taxi Drivers addressed the Planning and Transportation Committee.

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

- (1) received the report (April 13, 2006) from the Executive Director, Municipal Licensing and Standards; and
- (2) tabled the following motions for consideration at the Planning and Transportation Committee meeting of June 1, 2006:
 - “(1) that, in the interim, the manufacturer of the cameras that meet(s) the specifications be required to provide to each purchaser a maximum price for the camera, including installation charges and those prices be posted at City inspection sites; and
 - (2) any charges for re-setting cameras be included in the purchase price not be subject to subsequent charges for re-setting.”

(Report 3, Clause 10(c))

3.11 Rainwater Harvesting Presentation .

Presentation by Michael D’Andrea, Director, Water Infrastructure Management, Toronto Water.

Councillor Filion appointed Councillor Stintz Acting Chair and vacated the Chair.

On motion by Councillor Filion, the Planning and Transportation Committee received the presentation from Michael D’Andrea, Director, Water Infrastructure Management, Toronto Water.

Councillor Filion resumed the Chair.

(Report 3, Clause 10(d))

3.12 Transit Pass and Parking Requirements

The Planning and Transportation Committee considered a resolution by Councillor Moscoe, seconded by Councillor Giambrone, requesting staff of the TTC and the Planning Department for comments and recommendations, as follows:

“WHEREAS the City of Toronto’s official plan is premised on a healthy, vibrant transit system;

WHEREAS Developers are encouraged to intensify land use in and around subway stations;

WHEREAS the City has designated “avenues’ as areas of intensification in and around transit lines;

WHEREAS development policies should emphasize and reinforce the City’s objectives with respect to public transit;

THEREFORE BE IT RESOLVED THAT the official plan be amended to require all developers of condominium buildings larger than 25 units within 500 meters of a subway station to provide a free, one-year transit pass to each and every purchaser;

BE IT FURTHER RESOLVED THAT developers of properties within “avenues’ be required to provide a free one-year transit pass to purchasers of condominiums in buildings of more than 6 units;

BE IT FURTHER RESOLVED THAT developers who provide transit passes to purchasers for five years or more be entitled to a diminished parking standard;

BE IT FURTHER RESOLVED THAT staff report on revised parking requirements for five-year subscribers;

BE IT FURTHER RESOLVED THAT this motion be referred to staff of the TTC and the Planning Department for comments and they report out to TTC and the Planning and Transportation Committee no later than May, 2006 and detail the quantum revenues anticipated for the TTC; and

BE IT FURTHER RESOLVED THAT staff recommend any refinements that might be appropriate from both a fare media perspective and/or a planning perspective.”

Councillor Filion appointed Councillor Stintz as Acting Chair and vacated the Chair.

- A. Councillor Filion moved that the Planning and Transportation Committee forward the Resolution by Councillor Moscoe, seconded by Councillor Giambrone, to City Council without recommendation as the following motions placed at Committee were voted on and lost on a tie vote:
- (1) that the Resolution pertaining to Transit Pass and Parking Requirements be received;
 - (2) that the Resolution, as amended, be referred to the Chief General Manager, Toronto Transit Commission and the Chief Planner and Executive Director, City Planning, for report thereon to the Toronto Transit Commission and the Planning and Transportation Committee for its meeting of June 1, 2006; and
 - (3) Councillor Milczyn moved that staff be requested to report to Planning and Transportation Committee on the success of this program in those instances where it has been implemented.

(Carried)

Councillor Filion resumed the Chair.

- B. Councillor Ootes moved that the City Solicitor be requested to provide a legal opinion on the validation of this request.

(Lost)

(Report 3, Clause 8)

3.13 Appointments to Licensing Tribunal

The Planning and Transportation Committee considered a communication (December 12, 2005) from the City Clerk, advising that City Council on December 5, 6 and 7, 2005, amended the Planning and Transportation Committee Report 11, Clause 1 titled "Appointments to the Toronto Licensing Tribunal" by referring the following Recommendation (3) of the Sub-Committee Respecting the Toronto Licensing Tribunal, back to the Planning and Transportation Committee for further consideration:

- “(3) the citizens in the confidential communication be held as alternates to be appointed by Council should vacancies arise during the term, and that their

names remain confidential until appointed.”

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

- (1) recommended that City Council adopt the confidential recommendations of the Planning and Transportation Committee contained in the confidential communication (May 2, 2006) forwarded to Members of City Council under confidential cover; and further that in accordance with the *Municipal Act*, discussions pertaining thereto be held in-camera as the subject matter relates to Personal Matters about an Identifiable Individual(s), including municipal or local board employees; and
- (2) received the confidential communication (November 24, 2005) from the Sub-Committee Respecting the Toronto Licensing Tribunal.

(Report 3, Clause 9)

The Committee adjourned its meeting at 2:16 p.m.

Chair