

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 6

Tuesday, June 28, 2004

The Planning and Transportation Committee met on Monday, June 28, 2004, in Committee Room No. 1, City Hall, Toronto, commencing at 9:42 a.m.

Attendance

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

	9:42 a.m. to 12:32 p.m.	2:05 p.m. to 5:20 p.m.
Councillor Gerry Altobello, Chair	X	X
Councillor John Filion	X	X
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn, Vice- Chair	X	X
Councillor Howard Moscoe	X	X
Councillor Cesar Palacio	X	X
Councillor Bill Saundercook	X	X
Councillor Karen Stintz	X	X

On motion by Councillor Jenkins, the Planning and Transportation Committee confirmed the Minutes of its meeting held on June 1, 2004.

6.1 Urban Design Guidelines – Area-Based and Site Specific

The Planning and Transportation Committee considered a report (June 4, 2004) from the Commissioner of Urban Development Services presenting for Council's endorsement the area-based and site-specific Urban Design Guidelines that are a companion document of the Official Plan; advising that in addition, a consolidation of three former guidelines of this type are ready for inclusion into the companion document, as the Bloor-Yorkville/North Midtown Urban Design Guidelines.

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Recommendations:

It is recommended that Council:

- (1) adopt the area-based and site-specific urban design guidelines contained in the Urban Design Guidelines companion document – Attachment (a);
- (2) adopt the Bloor-Yorkville/North Midtown Urban Design Guidelines – Attachment (b); and
- (3) authorize staff to make such stylistic and technical changes as may be necessary to publish the Urban Design Guidelines companion document.

Mr. George Belza appeared before the Planning and Transportation Committee on behalf of Berkley Developments and Sterling Homes and other developer clients.

The Planning and Transportation Committee recommended that:

- (I) City Council adopt the staff recommendations in the Recommendations Section of the report (June 4, 2004) from the Commissioner of Urban Development Services subject to:
(Motion by Councillor Moscoe)

- (i) amending Recommendation (1) to read as follows:

“It is recommended that City Council:

- (1) adopt the area-based and site-specific urban design guidelines contained in the Urban Design Guidelines companion document – Attachment (a) and to advise all staff to use the guidelines in the review of development applications in the areas where they apply including the Committee of Adjustment”; **(Motion by Councillor Filion)**

so that the recommendations now reads as follows:

“It is recommended that City Council:

- (1) adopt the area-based and site-specific urban design guidelines contained in the Urban Design Guidelines companion document – Attachment (a) and to advise all staff to use the guidelines in the

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review of development applications in the areas where they apply including the Committee of Adjustment”;

- (2) adopt the Bloor-Yorkville/North Midtown Urban Design Guidelines – Attachment (b); and
 - (3) authorize staff to make such stylistic and technical changes as may be necessary to publish the Urban Design Guidelines companion document;”; and
- (ii) deleting the following from the Oakwood-Vaughan Area Urban Design Guidelines contained in Attachment (a) under the heading “Vaughan Road” “Streetscape and Open Space”:
- “The provision of on-street parking bays on Vaughan Road will be encouraged.”; **(Motion by Councillor Moscoe)**
- (II) the Commissioner of Urban Development Services be requested to develop guidelines for the design/décor district centred in the Caledonia/Castlefield area; **(Motion by Councillor Moscoe)**
 - (III) the Commissioner of Urban Development Services be requested to conduct a design charette for the design/décor district; **(Motion by Councillor Moscoe)**
 - (IV) the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer and Treasurer, be requested to determine an appropriate source of funds for the charette and report thereon to the Planning and Transportation Committee; **(Motion by Councillor Moscoe)** and
 - (V) when the design guidelines are adopted as part of the St. Clair Revitalization Project, that they become part of the Urban Design Guidelines companion document. **(Motion by Councillor Palacio)**

(Clause 2, Report 5)

6.2 Public Disclosure of Violations in Multi-Unit Residential Properties in Toronto (All Wards)

The Planning and Transportation Committee considered a report (May 17, 2004) from the Commissioner of Urban Development Services reporting on an implementation plan for a system for public disclosure of all violations information in multi-unit residential buildings in Toronto.

Recommendations:

It is recommended that:

- (1) Council approve the public disclosure system proposed in this report;
- (2) funds in the amount of \$150,000 for the project be redirected from the internet pilot project, as approved in the Urban Development Services 2004 Capital Budget, with an additional \$157,000 to be included in the 2005 UDS budget submission;
- (3) staff post notices of common area violations in a prominent location in multi-unit residential buildings pursuant to the Building Code Act;
- (4) staff report back on service implications and activity levels one year after full implementation; and
- (5) 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 (June 28, 2004) from Ms. Elinor Mahoney, Community Legal Worker, Parkdale Community Legal Services.

The following persons appeared before the Planning and Transportation Committee:

- Brad Butt, Executive Director, Greater Toronto Apartment Association;
- Ms. Gail Nyberg, Co-ordinator, Tenants Hot Line, Federation of Metro Tenants Associations;
- Ms. Elinor Mahoney, Community Legal Worker, Parkdale Community Legal Services Inc., representing the Tenant Advocacy Group, and filed a submission; and

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- Mr. Bart Poesiat, Parkdale Tenants' Association.

The Planning and Transportation Committee recommended that:

- (I) City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2004) from the Commissioner of Urban Development Services subject to amending recommendation (3) by adding the words "private and public rental" after the words "multi-unit", so that the recommendations now read as follows: **(Motion by Councillor Palacio)**
 - “(1) Council approve the public disclosure system proposed in this report;
 - (2) funds in the amount of \$150,000 for the project be redirected from the internet pilot project, as approved in the Urban Development Services 2004 Capital Budget, with an additional \$157,000 to be included in the 2005 UDS budget submission;
 - (3) staff post notices of common area violations in a prominent location in multi-unit private and public rental residential buildings pursuant to the Building Code Act;
 - (4) staff report back on service implications and activity levels one year after full implementation; and
 - (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;”
- (II) as part of the process of the development of the disclosure system, the Commissioner of Urban Development Services be requested to consult with all stakeholder groups; **(Motion by Councillor Moscoe)**
- (III) during the stakeholder consultation, the Commissioner of Urban Development Services be requested to review the definition of 'violation' and information that will be posted on the Disclosure Website; **(Motion by Councillor Stintz)**

- (IV) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the issue of the duration of the maintenance of records on the City's website; **(Motion by Councillor Milczyn)** and
- (V) the Commissioner of Urban Development Services be requested to approach the Ministry of Consumer and Commercial Relations to explore the feasibility of sharing a common data base and jointly funding the project which will be of use to adjudicators in rental tribunal hearings. **(Motion by Councillor Moscoe)**

The following Motion by Councillor Saundercook was voted on and **lost**:

The Planning and Transportation Committee deferred consideration of this matter until its meeting to be held in September 2004.

(Clause 3, Report 5)

6.3 IBMS Status and Enhancement Projects

The Planning and Transportation Committee considered a report (June 10, 2004) from the Commissioner of Urban Development Services reporting, as requested by City Council at its meeting of April 19 to 28, 2004, before proceeding with the IBMS enhancement projects, on the achievements, efficiencies and service enhancements which have resulted as a result of the IBMS project to December 31, 2003, and on the proposed and future enhancements to the system." This report is in response to this request.

Recommendations:

It is recommended that:

- (1) this report be received for information; and
- (2) the Commissioner of Urban Development Services report back to the Planning and Transportation Committee on a longer term strategy for enhancement to IBMS in conjunction with the 2005 budget process.

The Planning and Transportation Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 10, 2004) from the Commissioner of Urban Development Services.

(Clause 4, Report 5)

6.4. Public Consultation for the New Zoning By-law Project

The Planning and Transportation Committee considered a report (June 7, 2004) from the Commissioner of Urban Development Services providing an overview of the Project approach and discussing a recommended consultation strategy to engage the public as the project proceeds; advising that the objective of the project is to develop a single city-wide zoning by-law for administrative efficiencies, long term cost savings and improved public service; that the 41 comprehensive or area-specific zoning by-laws of the City's former municipalities represent a patchwork of regulations that has been very difficult to work with, for both staff and the public; that the existing by-laws will form the underlying basis for the structure and direction of the new by-law; so a sound understanding and thorough review of existing provisions is a necessary first step; and that the work will be enhanced with public involvement starting early and continuing throughout the project.

Recommendations:

It is recommended that:

- (1) the public consultation strategy outlined in this report be endorsed; and
- (2) this report be forwarded to the Community Councils for their information.

Mr. George Belza appeared before the Planning and Transportation Committee on behalf of several ratepayer clients.

The Planning and Transportation Committee recommended that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (June 7, 2004) from the Commissioner of Urban Development Services; **(Motion by Councillor Moscoe)**
- (2) any future staff reports on this subject highlight any proposed changes arising during any stage of the process; **(Motion by Councillor Filion)** and

- (3) all Councillors and ratepayer associations be specifically advised of any proposed changes to zoning by-laws affecting their communities. **(Motion by Councillor Filion)**

(Clause 5, Report 5)

6.5 Ravine Protection By-law – Revisions City-wide

The Planning and Transportation Committee considered a report (June 1, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism responding to the request of Council at its meeting on June 24, 25, and 26, 2003, regarding refining the location of the Ravine Protection By-law within the Toronto and Region Conservation Authority (TRCA) fill regulation areas and changes to the Ravine Protection By-law pertaining to the new Municipal Act.

Recommendations:

It is recommended that:

- (1) the City Solicitor be authorized to amend the City of Toronto Municipal Code Chapter 658, Ravine Protection by:
 - (a) deleting the Schedule 'A' property data maps and replacing them with revised maps showing the revised Ravine Protection area boundaries in the TRCA fill regulation area as described in this report; and
 - (b) revising the fine amounts in section 11(B) to reflect the fines authorized under the *Municipal Act, 2001*;
- (2) the City Solicitor be authorized to introduce the necessary Bill in Council to give effect thereto;
- (3) the Commissioners of Urban Development Services and Economic Development Culture and Tourism report to the September 7, 2004 meeting of Planning and Transportation Committee on amendments to Schedule A of Municipal Code Chapter 658, Ravine Protection to include tableland forests and forested portions of the Lake Iroquois Shoreline; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Mr. George Belza, Partner, ANALOGICA, appeared before the Planning and Transportation Committee on behalf of Berkley Developments (Botham) Inc.

The Planning and Transportation Committee:

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 1, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism; **(Motion by Councillor Moscoe)**
- (2) noted that Councillor Stintz has indicated that she would like to hold public meetings in her ward pertaining to the Ravine Protection By-law Revisions, prior to the meeting of Council scheduled to be held on July 20, 2004; **(Motion by Councillor Stintz)** and
- (3) requested the Commissioner of Urban Development Services to consult with Mr. George Belza pertaining to his concerns respecting this matter prior to the meeting of Council to be held on July 20, 2004. **(Motion by Councillor Moscoe)**

(Sent to: Commissioner of Urban Development Services; Commissioner of Economic Development, Culture and Tourism; c: Councillor Karen Stintz (Ward 16 Eglinton-Lawrence); Mr. George Belza - June 28, 2004)

(Clause 6, Report 5)

6.6 Consolidation of By-laws Regarding Littering and Dumping of Refuse and Waste

The Planning and Transportation Committee considered a report (June 1, 2004) from the Commissioner of Urban Development Services reporting on the consolidation of by-laws regarding littering and dumping of refuse and waste on private and public properties, and the cleaning and clearing of those properties; advising that the new by-law will create a seamless and consistent framework to deal with litter and dumping citywide; that it will allow for greater flexibility and consistency of service delivery with the procedures for notices and orders and cost recovery being standardized; and that the adoption of a consolidated litter and dumping by-law will eliminate the need for specific paragraphs in other by-laws or chapters to address the issue of littering or dumping of refuse or waste.

Recommendations:

It is recommended that:

- (1) the Planning and Transportation Committee adopt, in principle, the draft by-law attached as Appendix A to this report;
- (2) the City Solicitor be authorized to introduce to Council, a bill substantially in the form of the draft by-law; and
- (3) a copy of this report be sent to the Works and Economic Development and Parks Committees for their information.

Councillor Altobello appointed Councillor Milczyn as Acting Chair and vacated the Chair.

The Planning and Transportation Committee:

(I) recommended to City Council that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (June 1, 2004) from the Commissioner of Urban Development Services; **(Motion by Councillor Moscoe)** and
- (2) Whereas the Clean and Beautiful City Initiative is an important initiative for City Council and its citizens; and

Whereas one of the first policy initiatives in this programme is to develop consistent, clear and enforceable standards across public, private and parklands in the City; and

Whereas the first installment in this policy framework is now being introduced before the Planning and Transportation Committee;

Now therefore it be resolved that the harmonized Litter and Dumping Chapter of the Toronto Municipal Code be introduced into a distinct section of the Code, entitled "Clean and Beautiful City"; **(Motion by Councillor Altobello)**

- (II) requested the Commissioner of Urban Development Services, in her forthcoming report on the request for special legislation, to also consider possible:
 - (a) incorporation into the Municipal Act, revision of which is currently being undertaken by the Minister of Municipal Affairs and Housing, and/or;
 - (b) incorporation into the new City of Toronto Act recently agreed to by the same Minister; (**Motion by Councillor Moscoe**) and

- (III) referred the question of possible establishment of an education option between a notice of violation and a fine, recently referred by Council (i.e., Beauty Schools) to the Commissioner of Urban Development Services for a further report to the Planning and Transportation Committee, particularly as it pertains to property standards violations, for possible incorporation into this by-law; and if deemed appropriate by staff this matter be reported directly to Council with this by-law. (**Motion by Councillor Moscoe**)

Councillor Altobello resumed the Chair.

(Commissioner of Urban Development Services - June 28, 2004)

(Clause 7, Report 5)

6.7 Motion to Amend Municipal Code Chapter 545, Licensing, Concerning Private Parking Enforcement Agencies

The Planning and Transportation Committee considered the following report :

(May 26, 2004) from the Commissioner of Urban Development Services reporting on a motion referred to the Planning and Transportation Committee by Council, recommending that Municipal Code Chapter 545, Licensing, be amended to prohibit Private Parking Enforcement Agencies from issuing private invoices, look-a-like tickets, and to restrict the issuance of tickets to City of Toronto tickets by certified municipal law enforcement officers.

Recommendations:

It is recommended that:

- (1) Municipal Code Chapter 545, Licensing, be amended in the interests of consumer protection, substantially as follows:
 - (A) by repealing the existing definition of “Parking Enforcement Services” and replacing it with the following:

PARKING ENFORCEMENT SERVICES - Any parking enforcement activity, including but not limited to, the monitoring of property, issuance of tags, tickets or payment notices, and authorizing the towing of vehicles, carried on in relation to vehicles parked on private property without the consent of the owner or occupant of such property, with the exception of those parking enforcement activities carried on by a person holding a public garage (parking lot or parking station) licence, or employee of such person, in respect to the licensed premises.;
 - (B) by requiring that a Private Parking Enforcement Agency (defined as a person providing parking enforcement services) shall employ one or more municipal law enforcement officers; and in the course of providing parking enforcement services, issue only a parking infraction notice under Part II of the *Provincial Offences Act*, a Toronto Police Service tow card and other documents, as approved by the Chief of Police.
 - (C) by permitting the holder of a public garage (parking station or parking lot) licence to issue a document other than a parking infraction notice under Part II of the *Provincial Offences Act* for the purpose of requesting or demanding the payment of money in relation to vehicles parked on the licensed premises without the consent of the owner or occupant, provided that the licensee shall ensure that the document:
 - (1) is not the same colour or design, or simulates the colour or design of an official City of Toronto Parking Infraction Notice;
 - (2) clearly indicates in bold lettering, and in a font size larger than the rest of the notice (on the front and back of each notice); “This is not a City of Toronto Parking Infraction Notice”;
 - (3) clearly indicates the reasons why the notice is being issued by outlining the alleged wrongdoing;

- (4) provides dispute resolution options on the notice, indicating the address of the licensed premises, hours of operation, and a telephone number of the licensed premises where a member of the public may speak to the licensee, or an agent or employee of the licensee, for the purposes of resolving the dispute;
 - (5) includes the business licence number on the face of the notice; and
 - (6) does not request payment of an amount exceeding the daily maximum posted for parking on the licensed premises, and the reasonable administrative costs (to be posted on the licensed premises) associated with the issuance of the notice;
- (D) by requiring that the holder of a public garage (parking station or parking lot) licence shall file an annual dispute resolution report for the licensed premises with the Executive Director, in a form satisfactory to the Executive Director, advising of the number and type of disputes arising from the issuance of such notices, and providing statistics as to the resolution of such disputes, including the number and amount of refunds/reductions provided;
- (E) by requiring that the holder of a public garage (parking station or parking lot) licence post all administrative charges which may be imposed under clause 1C(6) above and indicate the activity related to the charge;
- (F) for the purposes of these recommendations, the “issuance” of a document shall include: to personally hand a document to the vehicle owner or driver, to leave a document on the vehicle with the intention that the vehicle owner will recover it, to mail it to the vehicle owner, or to cause the document to be delivered to the vehicle owner in any other fashion;
- (2) the Parking Enforcement Unit of the Toronto Police Service be requested to monitor and advise the Executive Director of Municipal Licensing and Standards of any complaints concerning the issuance of notices requesting or demanding payment by owners and occupants of property for parking on private property without their consent; and that the Commissioner of Urban Development Services report back to the Committee within two years’ time on any further action that may be necessary to protect consumers;
- (3) the City Solicitor be authorized to introduce to Council, any bill necessary to give effect to the decision of the Committee;

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- (4) (Undated) from Mr. Gary Ellis, Superintendent, Parking Enforcement Unit, Toronto Police Service Board attaching a draft version of a report that is scheduled to be discussed at the July 29, 2004 meeting of the Toronto Police Services Board relating to look-alike parking tickers.

The Planning and Transportation Committee also considered the following:

- (1) confidential report (June 10, 2004) from the City Solicitor;
- (2) confidential communication (May 3, 2002) from the Administration Committee referring a confidential report (March 15, 2004) from the City Solicitor; and
- (3) communications (June 24, 2004) and (June 25, 2004) from Ms. Margaret Shinozaki.

The Planning and Transportation Committee held a public meeting on June 28, 2004, 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 a minimum of four days.

The following persons appeared before the Planning and Transportation Committee:

- Mr. Irwin Patterson;
- Mr. Garry Ellis, Superintendent of Parking Enforcement, and filed a submission;
- Mr. Rick Yowfos, Supervisor, Contract Services, Toronto Police Service, and filed a copy of an article from the National Post on June 9, 2004, entitled "No mercy from British parking attendants";
- Ms. Catherine Grant;
- Mr. Martin Howard;
- Mr. Derrick Snowdy;
- Mr. Les Martin;
- Mr. Tom Iannacchino; and
- Mr. John Inglis, McCarthy Tétrault, representing Sunnybrook & Women's College Health Science Centre.

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

- (I) City Council adopt the staff recommendations in the Recommendations Section of the report (May 26, 2004) from the Commissioner of Urban Development Services subject to:
 - (i) deleting from Recommendation (1) (A) the words:

“with the exception of those parking enforcement activities carried on by a person holding a public garage (parking lot or parking station) licence, or employee of such person, in respect to the licensed premises.”; and
 - (ii) deleting Recommendations (1) (C) to (1) (E) and renumbering (1) (F) as (1) (C);

so that the recommendations now read as follows:

“It is recommended that:

- (1) Municipal Code Chapter 545, Licensing, be amended in the interests of consumer protection, substantially as follows:
 - (A) by repealing the existing definition of “Parking Enforcement Services” and replacing it with the following:

PARKING ENFORCEMENT SERVICES - Any parking enforcement activity, including but not limited to, the monitoring of property, issuance of tags, tickets or payment notices, and authorizing the towing of vehicles, carried on in relation to vehicles parked on private property without the consent of the owner or occupant of such property;
 - (B) by requiring that a Private Parking Enforcement Agency (defined as a person providing parking enforcement services) shall employ one or more municipal law enforcement officers; and in the course of providing parking enforcement services, issue only a parking infraction notice under Part II of the Provincial Offences Act, a Toronto Police Service tow card and other documents, as approved by the Chief of Police;

- (C) for the purposes of these recommendations, the “issuance” of a document shall include: to personally hand a document to the vehicle owner or driver, to leave a document on the vehicle with the intention that the vehicle owner will recover it, to mail it to the vehicle owner, or to cause the document to be delivered to the vehicle owner in any other fashion;
 - (2) the Parking Enforcement Unit of the Toronto Police Service be requested to monitor and advise the Executive Director of Municipal Licensing and Standards of any complaints concerning the issuance of notices requesting or demanding payment by owners and occupants of property for parking private property without their consent; and that the Commissioner of Urban Development Services report back to the Committee within two years’ time on any further action that may be necessary to protect consumers; and
 - (3) the City Solicitor be authorized to introduce to Council, any bill necessary to give effect to the decision of the Committee;” and
- (II) City Council adopt the staff recommendations in the Recommendations Section of the confidential report (March 15, 2004) from the City Solicitor subject to adding thereto the following recommendation (3):
- “(3) the City Solicitor be authorized to continue injunctive procedures as may be required, as outlined in this report if it is deemed by them as necessary.”

(Clause 8, Report 5)

6.8 Sheppard Corridor Profile Report
File: TF WPS 2002 0004

The Planning and Transportation Committee considered a report (May 28, 2004) from the Commissioner of Urban Development Services presenting the Sheppard Corridor Profile which completes Phase I of the Sheppard Avenue Corridor Study.

Recommendation:

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

The Planning and Transportation Committee also considered an Attachment entitled "Phase 1 – Profile Report – Sheppard Corridor Study" referred to in the report (May 28, 2004) from the Commissioner of Urban Development Services respecting Sheppard Corridor Profile Report.

On motion by Councillor Filion, the Planning and Transportation Committee received the report (May 28, 2004) from the Commissioner of Urban Development Services.

(Clause 15(a), Report 5)

6.9 Building Activity Report for 2003 (All Wards)

The Planning and Transportation Committee considered a report (June 7, 2003) from the Commissioner of Urban Development Services providing information on building permit activity in the City of Toronto for the year 2003.

Recommendation:

It is recommended that this report including its attachment be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (June 7, 2004) from the Commissioner of Urban Development Services.

(Clause 15(b), Report 5)

6.10 Review of Street Naming Policy

The Planning and Transportation Committee considered a communication (June 14, 2004) from the Toronto North Community Council advising that the Toronto North Community Council on June 8, 2004, in considering a report from the City Surveyor on the naming of a public street after Esther Shiner, referred the question of the Street Naming Policy to the Planning and Transportation Committee and Works Committee with a request that the Commissioner of Works and Emergency Services review the street naming policy with a view to establishing an arms length review of all proposed street names and a revised rationale for establishing street names that reflect the history and cultural life of the City.

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

- (1) referred the issue of the Review of Street Naming Policy to the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services for report thereon to the Works Committee and the Planning and Transportation Committee; and
- (2) requested the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services to review the public art process as a possible model and consult with the Heritage Division of Arts and Culture and the Historical Board.

(Sent to: Commissioner of Urban Development Services; Commissioner of Works and Emergency Services; c: Committee Administrator, Works Committee - June 28, 2004)

(Clause 15(c), Report 5)

6.11 Selected Avenue Studies for 2004

The Planning and Transportation Committee considered a report (June 14, 2004) from the Commissioner of Urban Development Services identifying potential Avenue segments for Study in 2004; advising that funding is available in the 2004 Urban Development Services budget for the purpose of providing expert assistance in carrying out two studies.

Recommendation:

It is recommended that this report be forwarded to the Scarborough and Etobicoke York Community Councils for their July meetings to endorse planning studies for Danforth Avenue between Warden Avenue and Victoria Park Avenue, and Dundas Street West between Royal York Road and the Humber River, and further, that their recommendations be reported directly to the City Council meeting of July 20, 21, and 22, 2004.

The Planning and Transportation Committee:

- (1) concurred with the staff recommendation contained in the Recommendation Section of the report (June 14, 2004) from the Commissioner of Urban Development Services; and

- (2) recommended that:
- (i) City Council request the Commissioner of Urban Development Services to include Eglinton Avenue West, from the William R. Allen Expressway to Dufferin Street, in the list of studies for 2005; **(Motion by Councillor Moscoe)** and
 - (ii) as part of the preparation of the new Official Plan, for the 2005 budget process, the portion of St. Clair Avenue West in Ward 17 be included in the list of Avenue Studies for 2005. **(Motion by Councillor Palacio)**

(Etobicoke York Community Council; Scarborough Community Council;
c: Commissioner of Urban Development Services - June 28, 2004)

(Clause 9, Report 5)

6.12 Proposed Settlements of Appeals to the New Official Plan 003011

The Planning and Transportation Committee considered a confidential report (June 2, 2004) from the Commissioner of Urban Development Services and the City Solicitor respecting proposed settlements of appeals to the New Official Plan 003011, such report to be considered in-camera as the subject matter relates to litigation or potential litigation matters.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (June 2, 2004) from the Commissioner of Urban Development Services and the City Solicitor respecting Proposed Settlement of Appeals to the New Official Plan, which was forwarded to members of Council under separate cover; and further in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation matters.

(Clause 10, Report 5)

6.13 Disposition of Closed Schools City-wide

The Planning and Transportation Committee considered:

- (i) a report (June 16, 2004) from the Commissioner of Urban Development Services responding to a request for information regarding implementation of a strategy aimed at retaining school sites that have been deemed surplus to requirements by any of the City's school boards; advising that the Chief Administrative Officer has been in contact with representatives of the TDSB and TCDSB, who have indicated a willingness to form more regular channels of communication; and that an effective means of achieving this objective will be established as soon as possible.

Recommendation:

It is recommended that this report be received for information; and

- (ii) a communication (May 28, 2004) from the City Clerk advising that City Council, at its meeting on May 18, 19 and 20, 2004, adopted, as amended, the following Motion:

Moved by: Councillor Del Grande

Seconded by: Councillor Kelly

“WHEREAS the Toronto District School Board, the Toronto Catholic District School Board, the Conseil des Ecoles Francaises de la Communaute Urbaine de Toronto and the Conseil Scolaire de District Catholique Centre-Sud (collectively called the ‘School Boards’) form an integral part of the social fabric of the City of Toronto; and

WHEREAS the School Boards have had their school sites funded by the property taxes collected by the City of Toronto; and

WHEREAS the school sites owned by the School Boards constitute a significant portion of the greenspace in the City of Toronto and the buildings and facilities are often used for community purposes; and

WHEREAS the School Boards are disposing of properties deemed surplus to their current needs under Ontario Regulation 444; and

WHEREAS the redevelopment of school sites may lead to the permanent removal of or reduction in greenspace, buildings and facilities and deprive the residents of the City of Toronto of the greenspace, buildings and facilities in perpetuity; and

WHEREAS this is a significant public policy issue;

NOW THEREFORE BE IT RESOLVED THAT City Council request that the School Boards, in addition to the current statutory notice which must be given to municipalities, notify the City of Toronto immediately upon a School Board becoming aware of, or concerned that, any particular school site under its jurisdiction may be surplus to its needs, and further that the School Boards work in a co-operative fashion with the City to consider both the immediate and long term impacts on the community of the possible loss of the school site, with a view to developing a strategy to ensure that the reuse of the school site will not unduly deprive the community of the significant public attributes of the school site;

AND BE IT FURTHER RESOLVED THAT City Council direct City staff who are responsible for reviewing redevelopment applications involving surplus school sites to ensure that, where possible and appropriate, the significant public attributes of the school site are preserved and secured through the appropriate planning tools;

AND BE IT FURTHER RESOLVED THAT City Council request the Chief Administrative Officer to report to the Policy and Finance Committee on the financial and operational implications of the City requesting the Province of Ontario to amend the appropriate legislation to permit the City to acquire school sites declared surplus at a nominal cost for the purpose of operating the school site for community and/or commercial purposes until the school site may once again be required by one of the School Boards for school purposes;

AND BE IT FURTHER RESOLVED THAT the City's Inter-departmental School Team comprised of representatives from all City departments continue to meet with representatives of the School Boards on a regular basis for the purpose of sharing information and discussing matters of mutual interest."

AND BE IT FURTHER RESOLVED THAT this motion, as amended, be forwarded to the Commissioner of Urban Development Services with the request that she report to the next meeting of the Planning and Transportation Committee on the implementation of the recommendations contained in the Motion."

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

- (1) received the report (June 16, 2004) from the Commissioner of Urban Development Services;
- (2) requested the appropriate staff to immediately notify the respective Councillor(s) when the City is notified of the intention to declare a school site surplus;
- (3) requested the Chief Administrative Officer and the Chief Financial Officer and Treasurer to report to the Policy and Finance Committee:
 - (i) on the feasibility of establishing a reserve fund to be used for the purchase of school sites where appropriate and a possible source of these funds including, but not limited to, revenue accrued from the sale of surplus City property; and
 - (ii) on a template for joint ventures with the School Board(s) designed to both raise revenue and preserve community lands and in so doing review the Baycrest School/Baycrest Park situation as a possible pilot project or model.

(Chief Administrative Officer; Commissioner of Urban Development Services; Chief Financial Officer and Treasurer; Commissioner of Corporate Services; c Committee Administrator, Policy and Finance Committee - June 28, 2004)

(Clause 15(d), Report 5)

6-14 Harmonization of the Fee Schedules for Payment-in-Lieu of Parking (All Wards)

The Planning and Transportation Committee considered a report (June 14, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services proposing a harmonized fee schedule for the payment-in-lieu of parking across the City of Toronto.

Recommendations:

It is recommended that:

- (1) under the provisions of Section 40 of the Planning Act, City Council accept the payment of funds by an applicant, where it is deemed appropriate, to exempt a project from all or part of the parking requirements of the applicable Zoning By-law;
- (2) the acceptance of payment-in-lieu of parking continue to be considered only for non-residential developments or the non-residential component of mixed-use developments;
- (3) the harmonized fee structure for payment-in-lieu of parking set out in this report be adopted;
- (4) the fee structure for payment-in-lieu of parking be reviewed every four years in order to reflect up-to-date costs for the provision of parking; and
- (5) 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:

- (1) adopt the staff recommendations in the Recommendations Section of the report (June 14, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services; and
- (2) advise Committees of Adjustment that relieving an applicant of a payment in lieu of parking charge is not considered a minor variance and is considered by Council to be entirely within the prerogative of Council.

(Clause 11, Report 5)

6.15 'Transit First' Investments in Toronto's Waterfront

The Planning and Transportation Committee considered a communication (June 17, 2004) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, June 16, 2004, the Commission considered the attached report entitled, "'Transit First' Investments in Toronto's Waterfront"; and the Commission approved the Recommendation contained in the report, as listed below:

Recommendations:

It is recommended that the Commission:

- (1) Request Toronto City Council to:
 - (i) confirm its "transit first" approach to new development within the Central Waterfront;
 - (ii) require that development or zoning by-laws to implement the East Bayfront and West Don Lands precinct plans, be conditional on the provision of a financial plan and implementation schedule to construct the streetcar rights-of-way and facilities required for the "transit first" approach, to the satisfaction of the TTC and the Commissioner of Urban Development Services;
 - (iii) include funding in the City's 2005-2009 Capital Budget for the City's portion of the Toronto Waterfront Revitalization Corporation's (TWRC) cost to design and construct transit facilities for the East Bayfront and West Don Lands, (based on the understanding that the costs will be confirmed through further transit studies); and
 - (iv) request the TWRC to initiate immediately, in co-operation with the TTC and the City of Toronto, Environmental Assessment studies for the transit projects required to serve East Bayfront and West Don Lands, notably:
 - (a) expanded streetcar facilities and passenger platform at Union Station;
 - (b) the Queens Quay East streetcar line from Union Station to Parliament/Cherry through the East Bayfront precinct, and
 - (c) extension of the 504 KING streetcar line through the West Don precinct; and

- (2) request the TWRC to:
- (i) commit to implementing the “transit first” policies in the Central Waterfront Secondary Plan, in consultation with the City of Toronto and the TTC;
 - (ii) complete the transit-related planning studies required to support the precinct planning for the East Bayfront and West Don Lands; and
 - (iii) include in its business plans the cost of design and construction of the streetcar rights-of-way and facilities required to serve the East Bayfront and West Don Lands precincts, on a “transit first” basis, over the next five-to-ten years, and to obtain the necessary funding commitments to implement these plans from the government partners”; and

further advising that the foregoing is forwarded to City of Toronto Council through the Planning and Transportation Committee and Policy and Finance Committee for consideration of the Commission’s request noted in Recommendation No. 1 above.

The Planning and Transportation Committee recommended to the Policy and Finance Committee that City Council adopt the recommendations in the Recommendations Section of the communication (June 17, 2004) from the General Secretary, Toronto Transit Commission.

(Sent to: Policy and Finance Committee – June 28, 2004)

(Clause 15(e), Report 5)

**6.16 Greenbelt Task Force Discussion Paper,
‘Toward a Golden Horseshoe Greenbelt’**

The Planning and Transportation Committee considered a report (June 14, 2004) from the Commissioner of Urban Development Services summarising the Greenbelt Task Force Discussion Paper, and discussing its implications for the City and growth management in the Golden Horseshoe.

Recommendations:

It is recommended that:

- (1) the Mayor write to the Minister of Municipal Affairs and the Chair of the Greenbelt Task Force to:
 - (i) convey Council's support for the establishment of a Golden Horseshoe Greenbelt;
 - (ii) indicate Council's provisional support for the approach to the proposed Golden Horseshoe Greenbelt as set out in the Greenbelt Task Force's discussion paper, contingent upon reviewing the province's approach to overall growth management in the Golden Horseshoe when it is released; and
 - (iii) request that City of Toronto staff be involved in the proposed working group to process the Task Force's recommendations through to the creation of the greenbelt; and
- (2) 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 (June 14, 2004) from the Commissioner of Urban Development Services.

(Clause 12, Report 5)

**6.17 Divisional Court Appeal of an Ontario Municipal Board Decision
(Rosedale Golf Assn. v. DeGasperis) - All Wards**

The Planning and Transportation Committee considered a confidential report (June 21, 2004) from the City Solicitor respecting a Divisional Court Appeal of an Ontario Municipal Board Decision, such report to be considered in-camera as the subject matter deals with litigation or potential litigation matters.

On motion by Councillor Jenkins, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the confidential

report (June 21, 2004) from the City Solicitor respecting a Divisional Court Appeal of an Ontario Municipal Board Decision, which was forwarded to Members of Council under separate cover; and further, that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation matters.

(Clause 13, Report 5)

6.18 Provincial Planning Reform Initiatives: Consultation Papers on OMB Reform, Planning Act Reform and Implementation Tools and Provincial Policy Statement Draft Policies

The Planning and Transportation Committee considered a report (June 21, 2004) from the Commissioner of Urban Development Services providing a comprehensive City of Toronto position with respect to the June 2004 Provincial Planning Reform Initiatives and Consultation Discussion Papers on OMB Reform, Planning Act Reform and Implementation Tools and Provincial Policy Statement Draft Policies.

Recommendations:

It is recommended that:

- (1) the Mayor advise the Minister of Municipal Affairs and Housing that Council of the City of Toronto:
 - (a) reaffirms its position regarding Planning and OMB Reform contained in the March 1, 2004 report from the Commissioner of Urban Development Services entitled "City of Toronto Position Regarding Ontario Municipal Board Reform" adopted, as amended, by Council at its meeting on April 15 and 16, 2004. (Clause No. 4a contained in Report No. 2 of The Planning and Transportation Committee);
 - (b) encourages the Province to develop additional planning tools, reform existing financial tools, such as Development Charges and Education Development Charges, and develop new financial incentives that promote intensification and compact growth, and requests that the City of Toronto be directly consulted in these matters;
 - (c) commends the Minister on the content and quality of the draft Provincial Policy Statement, which incorporates many recommendations previously made by the City, and understands that since PPS provides a framework

- and overall direction for growth in the entire Province, further region-specific Provincial policy direction needs to be provided in the Golden Horseshoe Growth Management Plan;
- (d) recommends that the new Provincial Policy Statement be adopted concurrently with Bill 26; and
 - (e) urges that the Golden Horseshoe Growth Management Plan be brought forward as quickly as possible, since it is a key policy element missing from the PPS for the Toronto-centred region;
- (2) Council adopt the following with respect to Planning Act Reform and Implementation Tools and the Mayor advise the Minister of Municipal Affairs and Housing that Council:
- (a) supports the expansion of the definition of “community improvement project area” under Section 28 of the Planning Act, to include areas identified as being suitable for infill and intensification in accordance with municipal growth management strategies, as well as allow for a broad range of intensification and beautification initiatives;
 - (b) supports giving upper tier municipalities express authority under Section 28 to participate in local projects of regional significance and inter-regional significance by allowing municipalities to jointly designate community improvement project areas across municipal boundaries;
 - (c) recommends that the reference to “bonusing” in Section 106 of the Municipal Act be clarified to exclude commercial and industrial properties eligible for small-scale grant and loan programs, such as the City’s “Facade Improvement Program”, so that such properties do not require being included within designated Community Improvement Plan areas, in order to be eligible for funding;
 - (d) supports the Development Permit System (DPS) and encourages the Minister to amend the DPS regulation, currently being tested in five pilot projects across the Province, to allow its use throughout the City, and further that the DPS regulation and the Planning Act (if necessary) be amended to expressly enable municipalities to address a full range of community development objectives such as affordable housing, transit, green technology, compact-form development, and source water protection;

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- (e) recommends the following changes to the Planning Act:
 - (i) add binding legal agreements to Section 34 and Section 36 (Zoning By-laws and Holding By-laws respectively);
 - (ii) provide greater clarity about how Section 37 should be implemented;
 - (iii) provide greater municipal control over design of buildings, either through enhanced site plan authority or the ability to have binding design review panels for municipalities or parts of municipalities under Section 41;
 - (iii) provide clear authority to establish minimum as well as maximum densities and heights in Section 34; and
 - (v) provide municipalities with inclusionary zoning powers to ensure that affordable housing as defined by the municipality is included in residential or mixed use developments;
- (f) believes the Transition Provisions for Bill 26 should continue to be enforced by statute and effective compliance dates should reflect the date when Bill 26, the Strong Communities (Planning Amendment) Act, comes into force;
- (3) Council adopt the following with respect to the Provincial Policy Statement and the Mayor advise the Minister of Municipal Affairs and Housing that:
 - (a) although the draft policies provide further direction concerning what constitutes a full range of housing, the term needs to be explicitly defined to clarify that a full range of housing types includes a full range of tenures (rental as well as ownership) and that additionally, there needs to be a strong Provincial Policy confirming the importance of rental housing, and in particular, affordable rental housing, emphasizing the need to not only promote new rental, but also protect existing rental from demolition and conversion to other uses;
 - (b) support should also be offered for various types of rental uses (such as emergency, supportive and transitional housing, second suites and rooming houses) that contribute to the “full range” of housing;

- (c) a strong statement should be added demonstrating the province's interest in providing new affordable housing, especially housing affordable to persons on fixed or limited incomes or those with disabilities;
- (d) employment sprawl should be recognized as a threat to the economic health of the Toronto-centred (Golden Horseshoe) region and promoting long-term stability of existing designated employment districts is in the Province's interest; an important component of the PPS should be to preserve and protect these areas from non-compatible uses and conversion to non-employment uses; and
- (e) the following matters be added to the list of prerequisites for building strong communities in Section 1.6, Long -Term Prosperity and Social Well-Being :
 - (i) the timely delivery of services to meet community needs including community and recreation centres, health facilities, schools and libraries;
 - (ii) facilitating a full range of housing by type and tenure;
 - (iii) encouraging well designed buildings and spaces; and
 - (iv) nurturing arts and cultural activities; and
- (f) the Province should clarify what legislative tools will be available to municipalities to be able to fully implement the Natural Heritage and Water policies of the draft PPS.

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 (June 21, 2004) from the Commissioner of Urban Development Services.

(Clause 14, Report 5)

6.19 Status Report on Negotiations of Ratepayer Appeals of the New Official Plan

The Planning and Transportation Committee considered a report (June 28, 2004) from Mayor David Miller, providing an update on the progress of discussions with representatives of ratepayer organizations who appealed the City's new Official Plan.

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The Planning and Transportation Committee also considered the following communications:

- (1) (June 25, 2004) from Mr. Steven Trumper, President, Lawrence Park-Bayview Property Owners Associations;
- (2) (June 23, 2004) from Ms. Frances Labelle, Director, Swansea Area Ratepayers' Association;
- (3) (June 22, 2004) from Mr. G. S. Belza, Partner, ANALOGICA;
- (4) (June 28, 2004) from Mr. David Vallance, Chair, The Confederation of Resident and Ratepayer Associations in Toronto (CORRA); and
- (5) (June 25, 2004) from Mr. Mark Flowers, Davies Howe Partners.

The following persons addressed the Planning and Transportation Committee:

- Mr. George Belza, on behalf of several ratepayer clients, and filed a submission;
- Mr. William Roberts;
- Ms. Arlena Hebert, President - Lytton Park Residents' Organization Inc.;
- Ms. Carol Seljak, Bloor Dufferin Residents Committee;
- Mr. George Milbrandt, Co-Chair, Fontra;
- Mr. Peter Baker, President, Sherwood Park Residents Association;
- Mr. James K. Stewart appearing on behalf of Fontra members at large;
- Mr. John McGinnis, President, Deer Park Ratepayer's Group Inc., and filed a submission;
- Mr. Patrick Smith, Vice President, Avenue Road Eglinton Community Association;
- Mr. Ken Dunsmore, Don Mills Residents Inc., and filed a submission;
- Mr. Brian Maguire, Secretary, North Hill District Home Owners' Association, and filed a submission;

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- Ms. Barbara Volk, Treasurer, Summerhill and Residents Association, and filed a submission;
- Mr. David Vallance, Chair, CORRA;
- Mr. John Robinson, York Mills Ratepayers Association Inc. and filed a submission;
- Mr. George Carere;
- Mr. John Smart, President, Teddington Park Residents Association;
- Mr. Louis Gris, President, Swansea Area Ratepayers' Association; and
- Ms. Marion Lick, Lansing Community Association, and Willowdale Central Ratepayers' Association.

On motion by Councillor Filion, the Planning and Transportation Committee recommended that City Council adopt the following:

- (1) that the following statement be incorporated into the new Official Plan:

“Secondary Plans and area specific policies should be created in consultation with local communities and should be designed to carefully control development so that adjacent neighbourhoods are protected from significant negative impact.”;

- (2) that Policy 5 in Section 5.6 of the new Official Plan be revised to read as follows:

“Boundaries of land use designations on Maps 13-18 inclusive are general except where delimited by a defined Secondary Plan or area specific policy, or where they coincide with fixed distinguishable features such as roads, public laneways, utility corridors, railroads, watercourses or other clearly defined physical features. In all other instances, regard will be had for existing zoning and land use patterns in locating the

boundaries of land use designations. Where the intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan.”;

- (3) that the boundaries of mixed use intensification areas in Wards 13, 16, 23 and 25, and other wards in which local councillors so request, be clearly defined and be forwarded to Council through the Planning and Transportation Committee by amendments to the Official Plan prior to the issue being finalized by the Ontario Municipal Board;
- (4) that the deleted Sheppard Avenue Commercial Area Secondary Plan be reinstated, and that staff prepare the appropriate Official Plan amendment;
- (5) that the City Solicitor be authorized to add these modifications to the list of modifications before the Ontario Municipal Board; and
- (6) the appropriate City officials be authorized to take the necessary action to give effect thereto.

The following Motion by Councillor Altobello was voted on and **lost**:

That the Planning and Transportation Committee request the City Solicitor to report directly to City Council for its meeting to be held on July 20, 2004, on the legal and procedural implications at the Ontario Municipal Board by the adoption of Councillor Filion’s motion.

(Clause 1, Report 5)

6.20 Amendments to the Age of Vehicles for Taxis

The Planning and Transportation Committee considered the following Motions:

- (1) (June 27, 2004) from Councillor Howard Moscoe stating that:

Whereas the present taxi bylaw permits an up to two year old car to be put on the road which may remain in service for up to five years at which time it can no longer operate as a taxi; and

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Whereas the intent of the age of vehicles provision was to upgrade the quality of vehicles for the benefit of the riding public; and

Whereas this objective has been circumvented in some instances because the bylaw allows for the commissioning of 'chop shop' vehicles as taxis to the detriment of the riding public; and

Whereas meetings with the three major Canadian auto manufacturers have confirmed that they are each willing to develop proposals for a bulk price for Toronto taxis, one that may include insurance and/or financing or leasing options; in exchange for a secure market; and

Whereas the taxi industry has been seeking an extension of the age of vehicles because drivers are facing a major new expenditure in the face of a stressed market; and

Whereas despite a desire to assist the drivers the city is not prepared to abandon high vehicle standards for the riding public; and

Whereas the time for changeover of vehicles is fast approaching; and

Whereas if the bylaw is to be amended, notice must be given now and a public hearing must be scheduled for the next Planning and Transportation Committee meeting;

Therefore be it resolved that the committee give consideration to amending the age of vehicles provision to require that any taxi licensed within the city of Toronto be required to be a new current model year taxi purchased from a recognized dealership and that that taxi be permitted to remain in service:

- (a) in the case of a standard plate for a period of up to six years;
- (b) in the case of an ambassador taxi for a period of up to seven years; and

Be it further resolved that those existing taxis that can show evidence that they were purchased new from a recognized dealer be grandfathered and permitted to remain in service In accordance with the new provisions of the bylaw as outlined above; and

Be it further resolved that this matter be referred to staff for a report on how this might be accomplished to the next meeting of the Planning and Transportation committee including the comments requested from the three major auto manufacturers; and

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Be it further resolved that the next meeting of the Planning and Transportation Committee be designated as a public hearing for the purposes of meeting the requirements of the Municipal A; and

- (2) (Undated) by Councillor Gerry Altobello stating that:

Whereas Chapter 545, Licensing, of the Toronto Municipal Code provides that Ambassador taxicab owners use vehicles that are not more than one-year old as replacement vehicles; and

Whereas pursuant to Chapter 545, Licensing, of the Toronto Municipal Code Standard taxi owners are permitted to use vehicles that are not more than two-years old as replacement vehicles; and

Whereas, notwithstanding the recommendation of the 1998 Task Force on the Taxicab industry that Ambassadors are always to be the newest, freshest taxis on the road, it is inherently unfair to treat the two types of owners differently; and

Whereas the vehicles that are due to be replaced in 2004 are replaced in the last inspection period between September and December; and

Whereas a September resolution to this issue will give staff sufficient time to notify all owners who need to replace vehicles.

Now Therefore be it Resolved that the Commissioner of Urban Development Services:

- (1) report to the Planning and Transportation Committee at its September 7, 2004, meeting on the necessary amendments to Chapter 545, Licensing, of the Toronto Municipal Code that will regularize the permitted age of vehicles for both Standard and Ambassador taxicabs;
- (2) ensure that the necessary notice of the public meeting be given; and
- (3) in order to implement any necessary amendments to Chapter 545, Licensing, of the Toronto Municipal Code, advise taxicab owners required to replace their vehicles in the last inspection period between September and December, 2004 that their vehicles will not have to be replaced until their first inspection in 2005.

The following persons appeared before the Planning and Transportation Committee:

- Ms. Catherine Sokoloff;

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- Mr. Andre Plante;
- Ms. Wilma Walsh; and
- Mr. Larry Labovitch.

The Planning and Transportation Committee:

- (1) concurred with the recommendations contained in the Notice of Motion by Councillor Moscoe:

“Therefore be it resolved that the Planning and Transportation Committee give consideration to amending the age of vehicles provision to require that any taxi licensed within the City of Toronto be required to be a new current model year taxi purchased from a recognized dealership and that that taxi be permitted to remain in service:

- (a) in the case of a standard plate for a period of up to six years; and
- (b) in the case of an Ambassador Taxi for a period of up to seven years; and

Be it further resolved that those existing taxis that can show evidence that they were purchased new from a recognized dealer be grandfathered and permitted to remain in service in accordance with the new provisions of the by-law as outlined above; and

Be it further resolved that this matter be referred to staff for a report on how this might be accomplished to the next meeting of the Planning and Transportation Committee including the comments requested from the three major auto manufacturers; and

Be it further resolved that the next meeting of the Planning and Transportation Committee be designated as a public hearing for the purposes of meeting the requirements of the Municipal Act;

- (2) requested the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee:

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- (i) on the purchase of vehicles from the dealer that are not the current year model but the previous year; and
 - (ii) on extending the changeover date to at least October 2004 if the City is going to amend the by-law;
- (3) referred the question raised by Ms. Wilma Walsh with respect to leased crown taxis to the Commissioner of Urban Development Services for comment;
- (4) requested the Commissioner of Urban Development Services to:
- (i) report to the Planning and Transportation Committee on the feasibility of giving the independent taxis the same status as ambassador taxi cabs; and
 - (ii) advise the three major Canadian auto manufacturers (GM, Ford and Chrysler) of the date of the public hearings pertaining to this matter, to afford them an opportunity to bring forward any information they wish to bring to Committee; (**Motions by Councillor Moscoe**) and
- (5) concurred with the recommendation contained in the Motion by Councillor Gerry Altobello:

“Now Therefore be it Resolved that the Commissioner of Urban Development Services:

- (1) report to the Planning and Transportation Committee at its September 7, 2004 meeting on the necessary amendments to Chapter 545, Licensing, of the Toronto Municipal Code that will regularize the permitted age of vehicles for both Standard and Ambassador taxicabs;
- (2) ensure that the necessary notice of the public meeting be given; and
- (3) in order to implement any necessary amendments to Chapter 545, Licensing, of the Toronto Municipal Code, advise taxicab owners required to replace their vehicles in the last inspection period between September and

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December 2004 that their vehicles will not have to be replaced until their first inspection in 2005. (**Motion by Councillor Altobello**)

(Sent to: Commissioner of Urban Development Services; Committee Administrator, Planning and Transportation Committee – June 28, 2004)

(Clause 15(f), Report 5)

The Committee adjourned its meeting at 5:20 p.m.

Chair.