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**PLANNING AND TRANSPORTATION COMMITTEE  
DECISION DOCUMENT  
MEETING 8**

*Report 9 to be considered by City Council on October 26, 27 and 28, 2005*

**Date of Meeting:** Thursday, October 6, 2005      **Enquiry:** Patsy Morris  
**Time:** 9:30 a.m.      **Committee Administrator**  
**Location:** Committee Room 1      **416-392-9151**  
City Hall      **pmorris@toronto.ca**  
100 Queen Street West  
Toronto, Ontario

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*The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.*

***How to Read the Decision Document:***

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

***Minutes Confirmed – September 12, 2005***

**Communications/Reports:**

**CITY PLANNING**

- 1. Final Report Phase 3 Warden Corridor Land Use Planning Study  
Warden Woods Community Secondary Plan  
East side of Warden Avenue, north and south of St. Clair Avenue  
File No. 03 035238 ESC 35 TM (Ward 35 – Scarborough Southwest)**

**(Public Meeting under the *Planning Act*)**

**10:00 a.m.**

**(Staff Presentation)**

## Report 9, Clause 2

### The Planning and Transportation Committee:

- (I) **recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 21, 2005) from the Chief Planner and Executive Director, City Planning subject to:**
- (1) **amending the draft Warden Woods Community Secondary Plan, forming part of Draft Official Plan Amendment No. 1145, Part 4.52 entitled “Warden Woods Community Secondary Plan” Section 2.4, Parks and Other Open Spaces, by adding a new policy 2.4.8:**
- “2.4.8 For the City-owned lands north and south of St. Clair (Warden North Parking lot and the southeast corner of Warden and St. Clair Avenues), it is intended that parkland contributions associated with the development of the two sites be located on the lands north of St. Clair Avenue. The over-contribution of parkland from the Warden North parking lot will be credited with respect to future development approvals for the land at the southeast corner of Warden and St. Clair Avenues.”; and**
- (2) **amending the draft Warden Woods Community Zoning By-law, Clause VIII – Zone Provisions, Section 7, entitled “Commercial/Residential (CR) Zone, (a) Permitted Uses”, by adding the following:**
- “- Nursing Homes and Senior Citizens Homes.”**

### Action taken by the Committee:

#### The Planning and Transportation Committee:

- (1) requested the Chief Planner and Executive Director, City Planning (Urban Design Division) to submit a report to the Planning and Transportation Committee on a plan for ensuring that pedestrian walkways, particularly in relation to commuter parking, are adequately lit and safe; and
- (2) referred the submission (October 4, 2005) from The Taylor Massey Project to the General Manager, Parks, Forestry and Recreation, for report thereon to the Scarborough Community Council.

The Planning and Transportation Committee held a public meeting on October 6, 2005, and notice was given in accordance with the Planning Act.

Report (September 21, 2005) from the Chief Planner and Executive Director, City Planning presenting the conclusions of Phase 3 (Implementation) of the Warden Corridor Land Use Planning Study, and recommends amendments to the Official Plan and the Zoning By-law, including a Secondary Plan, Zoning By-law and Alternative Parkland Dedication By-law for the new Warden Woods Community, for lands east of Warden Avenue, north and south of St Clair Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan of the former City of Scarborough to introduce a new Warden Woods Community Secondary Plan, substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5;
  - (2) enact a new Warden Woods Community Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
  - (3) amend the Employment Districts Zoning By-law No. 24982 (Oakridge Employment District) of the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7;
  - (4) enact an Alternative Parkland Dedication By-law for the Warden Woods Community which implements an alternative parkland rate of a minimum of 0.4 hectares per 300 dwelling units for residential development or 5% of the land area, whichever is greater, substantially in accordance with the draft By-law attached as Attachment No. 8;
  - (5) direct the City Solicitor to request the Ontario Municipal Board to modify the new Toronto Official Plan to implement the new Warden Woods Community Secondary Plan as approved;
  - (6) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment, draft Zoning By-law Amendments, and draft Alternative Parkland Dedication By-law as may be required; and
  - (7) adopt the Warden Woods Community Service Strategy (September 2005) attached as Attachment No. 9.
- 1(a).** Communication (September 20, 2005) from Sonny Sansone.
- 1(b).** Communication (October 3, 2005) from Rexton Developments Ltd.
- 1(c).** Communication (October 4, 2005) from Andrew McCammon, The Taylor Massey Project.

- 1(d).** Communication (October 4, 2005) from Ian J. Lord, WeirFoulds, Barristers and Solicitors.

**Report 9, Clause 7(a)**

**2. Improving the Planning Process - All Wards**

**9:45 a.m.**

Action taken by the Committee:

The Planning and Transportation Committee:

- (1) amended Recommendation (1) (i) contained in the report (September 29, 2005) from the Planning and Transportation Sub-Committee to Review the City's Planning Process to read as follows:
  - “(i) City Planning ensure that projects are built in conformance with approved drawings and conditions for site plan control applications and exploring available options, including having dedicated inspectors review the approved projects and that sufficient financial guarantees be posted to ensure compliance and continued compliance with site plan conditions;”;
- (2) referred the aforementioned report, as amended, to the Chief Planner and Executive Director, City Planning, for report to the November 7, 2005, meeting of the Planning and Transportation Committee;
- (3) requested the Chief Planner and Executive Director, City Planning, to:
  - (i) ensure that the notification procedures include direct notification of all households including tenant, condominiums and other forms of residential households at the applicants expense; and
  - (ii) include in his forthcoming report, the amount of change in an application which would generate the need for a subsequent community consultation meeting, in both the New Official Plan, Step 2, and the Current Planning Process; and
- (4) forwarded a copy of the aforementioned report, as amended, to the Affordable Housing Committee for information.

Report (September 29, 2005) from the Planning and Transportation Sub-Committee to Review the City's Planning Process to recommend operational changes to planning processes in order to achieve improved public participation, collaboration, communication, accessibility, transparency and greater accountability.

Recommendations:

It is recommended that:

- (1) the Chief Planner and Executive Director of the City Planning Division review and report back on the implementation of the following recommendations:
  - (a) City Planning revise its development procedures to ensure that an early community consultation meeting is held for complex planning applications (rezoning, official plan amendments, plan of sub-division, and substantial site plan control applications) that merit a community meeting, in consultation with the ward councillor, such revised procedures to include an option for the proponent to file a “pre-application” development application, in accordance with Appendix 2;
  - (b) City Planning in consultation with City Clerks, where appropriate, improve access to information and notification methods to ensure that the community is informed early in the process;
  - (c) City Planning develop consistent notification practices for community consultation meetings across all districts;
  - (d) City Planning develop a web page to disseminate planning application information, education, public hearing notices, reports, summaries of community consultation meetings, and application status information;
  - (e) City Planning develop a protocol to provide notices of public/community meetings by e-mail to interested community, business and industry groups;
  - (f) City Planning, in consultation with the Corporate Access and Privacy Office, provide reasonable public access to information relating to planning applications and provide information in clear terms and formats so that it is easily understood by the public;
  - (g) City Planning improve the existing planning process so that it is more collaborative, transparent and community focused by exploring alternate community consultation meeting designs; developing criteria for the use of professional facilitators for community meetings for some applications; developing summaries of community meetings; delivering public education; attending community association meetings; providing staff training on consultation skills and outreach services; and holding “town hall” meetings on general planning issues;
  - (h) City Planning reports use clear language to describe the relevant planning issues, policies, guidelines and the response to public concerns;

- (i) City Planning ensure that projects are built in conformance with approved drawings for site plan control applications and exploring available options, including having dedicated inspectors review the approved projects; and
  - (j) City Planning work with the Committee of Adjustment to improve communication material, the content of public notices and decisions, on-site signage, notification procedures, and the development of protocols for briefing meetings for committee members;
  - (k) City Planning report to the Planning and Transportation Committee recommending guidelines for planning staff to assist in the response to applications which do not appear to be minor variances, and that this report further address the issue of the public process that should be used to evaluate the merits of such applications; and
- (2) Council remain active in the pursuit of on-going initiatives to reform the Ontario Municipal Board.

(Note: The aforementioned report will be distributed as soon as it is available.)

### **3. Proposed Settlement of an Appeal to the new Official Plan 003011**

**(In-camera – Litigation or potential litigation)**

#### **Report 9, Clause 6**

**The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 12, 2005) from the Chief Planner and Executive Director, City Planning, and the City Solicitor, respecting Proposed Settlement of an Appeal to the New Official Plan 003011, which was forwarded to Members of Council under confidential cover; and further, in accordance with the *Municipal Act*, discussions pertaining thereto be held in-camera as the subject relates to litigation or potential litigation matters.**

Confidential report (September 12, 2005) from the Chief Planner and Executive Director, City Planning, regarding proposed settlements of appeals to the new Official Plan, such report to be considered in-camera as the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**4. Amendments to the Ontario Heritage Act  
(All Wards)**

**Report 9, Clause 5**

**The Planning and Transportation Committee recommends that:**

**(I) City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 16, 2005) from the Chief Planner and Executive Director, City Planning, subject to:**

- (i) adding the following words to Recommendation (2) “after consultation with the local Councillor” so that Recommendation (2) shall now read as follows:**

**“(2) the City Solicitor be authorized, pursuant to Section 33 (15) to (16) of the Ontario Heritage Act, to introduce a Bill in Council to provide for a process for the review of applications for approval of alterations to designated property and to delegate authority to the Chief Planner and Executive Director, City Planning Division, to approve certain classes of alterations to properties designated under S. 29 of the Ontario Heritage Act, after consultation with the local Councillor;**

- (ii) adding the following additional new Recommendation:**

**(5) the City Solicitor be directed to defend the City’s position at all Ontario Municipal Board heritage appeals and provide all necessary staff resources to successfully pursue that defence.**

**so that the Recommendations now read as follows:**

- (1) the City Solicitor be authorized, pursuant to Sections 38 and 45 of the Ontario Heritage Act, to introduce a Bill in Council authorizing certain City employees in the Heritage Preservation Services unit of the Policy and Research Division to inspect property designated or proposed to be designated under Part IV or V of the Ontario Heritage Act for the purposes of carrying out those Parts of the Ontario Heritage Act;**

- (2) the City Solicitor be authorized, pursuant to Section 33 (15) to (16) of the Ontario Heritage Act, to introduce a Bill in Council to provide for a process for the review of applications for approval of alterations to designated property and to delegate authority to the Chief Planner and Executive Director, City Planning Division, to approve certain classes of alterations to properties designated under S. 29 of the Ontario Heritage Act;**

- (3) **Council delegate to the Chief Planner and Executive Director, City Planning Division responsibility for maintenance of the official Register of designated and listed properties and Heritage Conservation Districts required to be kept by the City under Sections 27 and 39.2 of the Ontario Heritage Act;**
  - (4) **the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and**
  - (5) **the City Solicitor be directed to defend the City's position at all Ontario Municipal Board heritage appeals and provide all necessary staff resources to successfully pursue that defence; and**
- (II) the Chief Planner and Executive Director, City Planning, be requested to submit a report to the Planning and Transportation Committee after six months with respect to this matter.**

Action taken by the Committee:

The Planning and Transportation Committee requested the Chief Planner and Executive Director, City Planning to submit a report to the Planning and Transportation Committee on all heritage property appeals to the Ontario Municipal Board, such report to be in consultation with the local Councillor.

Report (September 16, 2005) from the Chief Planner and Executive Director, City Planning, to report on recent amendments to the Ontario Heritage Act and recommend appointment of inspectors, delegation of authority to approve certain classes of alterations to designated property and transfer of responsibility for the Register from the City Clerk to the Planning Division.

Recommendations:

It is recommended that:

- (1) the City Solicitor be authorized, pursuant to Sections 38 and 45 of the Ontario Heritage Act, to introduce a Bill in Council authorizing certain City employees in the Heritage Preservation Services unit of the Policy and Research Division to inspect property designated or proposed to be designated under Part IV or V of the Ontario Heritage Act for the purposes of carrying out those Parts of the Ontario Heritage Act;
- (2) the City Solicitor be authorized, pursuant to Section 33 (15) to (16) of the Ontario Heritage Act, to introduce a Bill in Council to provide for a process for the review of applications for approval of alterations to designated property and to delegate authority to the Chief Planner and Executive Director, City Planning Division, to approve certain classes of alterations to properties designated under S. 29 of the Ontario Heritage Act;



- (3) Council delegate to the Chief Planner and Executive Director, City Planning Division responsibility for maintenance of the official Register of designated and listed properties and Heritage Conservation Districts required to be kept by the City under Sections 27 and 39.2 of the Ontario Heritage Act; and
  - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- 4(a).** Communication (September 30, 2005) from the Toronto Preservation Board advising that the Board on September 29, 2005 recommended to the Planning and Transportation Committee that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 16, 2005) from the Chief Planner and Executive Director, City Planning Division.

### **MUNICIPAL LICENSING AND STANDARDS**

- 5. Review of Business Licensing Fees 11:00 a.m.**
- (Public Meeting)**

#### **Report 9, Clause 1**

#### **The Planning and Transportation Committee recommends:**

- (1) that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 22, 2005) from Deputy City Manager, Fareed Amin; subject to amending Recommendation (1) (d) by striking out the following words “(except holistic centre owners and holistic practitioners)” so that Recommendation (1) (d) shall now read as follows:**
  - “(1)(d) Remaining stationary businesses and trades \$66”;** and
- (2) that the \$9.00 Incremental Increase (per licence) for legal fees also be included for the holistics category.**

Action taken by the Committee:

The Planning and Transportation Committee:

- (1) requested Deputy City Manager, Fareed Amin, to submit a report to the Planning and Transportation Committee on the number of businesses in categories that are not currently subject to business licensing fees and the financial impact of expanding business licensing fees to include those types of businesses; and
- (2) received the communication (August 2, 2005) from the City Clerk.

The Planning and Transportation Committee held a public meeting on October 6, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to Toronto Municipal Code was posted on the City's web site for a minimum of four days.

Report (September 22, 2005) from the Deputy City Manager to redeploy enforcement resources to meet anticipated enforcement pressures and to recover all associated costs through licensing fees.

Recommendations:

It is recommended that:

- (1) Annual licensing fees be increased as follows:
 

(a)	Body rub parlour owner/operators	\$9,245
(b)	Body rub parlour owners	\$4,656
(c)	Body rub parlour operators	\$4,656
(d)	Remaining stationary businesses and trades (except holistic centre owners and holistic practitioners)	\$ 66
(e)	All mobile businesses	\$ 21
- (2) Recommendation (1) becomes effective immediately upon the adoption of this report by Council on November 1, 2005;
- (3) the Executive Director of Municipal Licensing and Standards be required to report, in one year's time, on any further adjustments to the allocation of licensing costs and the associated fees based on an assessment of more current programme pressures;
- (4) any other consequential by-law amendments to Chapter 545 or any other by-law be correspondingly effected;
- (5) the City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report, effective immediately; and

(6) the report be referred to the Budget Advisory Committee for its consideration.

(Note: The aforementioned report will be distributed as soon as it is available.)

**6. Proposed Taxicab Fare Increase**

**2:00 p.m.**

**(Public Meeting)**

**Report 9, Clause 3**

**The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 20, 2005) from the Executive Director, Municipal Licensing and Standards.**

The Planning and Transportation Committee held a public meeting on October 6, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to Toronto Municipal Code was posted on the City's web site for a minimum of four days.

Report (September 20, 2005) from the Executive Director, Municipal Licensing and Standards, to recommend an increase in the taxicab fare in the City of Toronto.

Recommendations:

It is recommended that:

- (1) the City of Toronto Municipal Code be amended to provide for an approximate increase of ten (10) percent to the taxicab fares;
- (2) this increase be achieved by approving an increase in the initial drop of \$0.25 by increasing the initial drop from \$2.75 to \$3.00, and an increase in the per kilometre rate from \$0.25 per .190 kilometres to \$0.25 per .170 kilometres, as indicated in Table 2, below;
- (3) taxicab fares be reviewed by City staff in the third quarter of each successive year utilizing the most recent Statistics Canada Consumer Price Index for the Province of Ontario with special attention being paid to the current cost of fuel at the time of the review; and
- (4) the appropriate City officials be authorized to undertake the necessary action to give effect thereto.

## 7. Accessible Taxicabs within the City of Toronto

2:00 p.m.

(Public Meeting)

## Report 9, Clause 4

The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the recommendations Section of the report (September 19, 2005) from the Executive Director, Municipal Licensing and Standards, subject to:

- (i) deleting Recommendation (1) (c) contained in the staff recommendations contained in the Recommendations Section of the report (September 19, 2005) from the Executive Director, Municipal Licensing and Standards; and
- (ii) adding an additional Recommendation (6) to the Recommendations, to read as follows:
  - “(6) that the Municipal Code, Chapter 441, Fees, be amended to increase fees for the Refresher Taxicab Driver Training Course for accessible taxicab drivers only and increase fees for the Accessible Taxicab Training Course an additional \$40 each to accommodate for the extra day of training.”;

so that the Recommendations shall now read as follows:

- (1) the Municipal Code, Chapter 545, Licensing, Article VIII, Owners and Drivers of Cabs be amended to:
  - (a) extend the current Accessible Taxicab Training Course from four days to five days to include a training module regarding interpersonal communication skills, interacting with people with disabilities and a practical component focusing on transferring passengers into accessible taxicabs; and
  - (b) require that drivers endorsed with an accessible taxicab licence attending the Refresher Taxicab Driver Training Course attend an additional day of training to review accessible operator best practices until 2007;
- (2) the Municipal Code, Chapter 545, Licensing, Article VIII, Owners and Drivers of Cabs be amended to prescribe a set of standards that taxicab drivers with accessible taxicab licences must follow, including:
  - (a) driver to announce self upon arrival at pick-up point;
  - (b) driver to provide appropriate assistance to customer when requested; and
  - (c) driver to properly and safely handle customer mobility aides;

- (3) **Municipal Licensing and Standards staff continue to consult with industry stakeholders and advocates for people with disabilities and study the development of a new accessible taxicab and limousine programme with the goals of improving service and increasing capacity to address the growing need for and regulation of this service. Issues to be addressed that were identified during the initial round of consultation were:**
- (a) **the need for and level of administrative requirements which must be assured by accessible taxicab service providers to ensure the protection of the disabled community, including, but not limited to, service commitments; and**
  - (b) **the options for addressing the higher cost of providing accessible taxicab service including the provision of special purpose vehicles, trained staff, and proper tracking and dispatch of calls for service;**
- (4) **Municipal Licensing and Standards staff consult with provincial and/or federal levels of government to explore opportunities for funding assistance for the purchase of accessible vehicles in an effort to increase availability of accessible vehicles to the public;**
- (5) **a copy of this report be forwarded to the Mayor’s Roundtable on Access, Equity and Human Rights, the Mayor’s Roundtable on Seniors and the Disability Issues Committee, for their information; and**
- (6) **that the Municipal Code, Chapter 441, Fees, be amended to increase fees for the Refresher Taxicab Driver Training Course for accessible taxicab drivers only and increase fees for the Accessible Taxicab Training Course an additional \$40 each to accommodate for the extra day of training.**

Action taken by the Committee:

The Planning and Transportation Committee referred the following Motion to the Acting Executive Director, Municipal Licensing and Standards for report thereon to the Planning and Transportation Committee, such report to include consultation with the City’s Disabilities Issues Committee, that:

Motion by Councillor Moscoe on behalf of Councillor Mihevc:

That:

- (1) the City of Toronto not grant taxi licenses for vehicles that have rear door entrances/exits;
- (2) the principle be established that the cost of accessible taxis not be greater than regular taxi service and that the Acting Executive Director of Municipal Licensing and Standards be requested to report back to the Planning and Transportation Committee on possible strategies to achieve this while also maintaining fair compensation for taxi drivers; and

- (3) the taxi licenses be increased for accessible taxis so that on-demand service be increased.

The Planning and Transportation Committee held a public meeting on October 6, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to Toronto Municipal Code was posted on the City's web site for a minimum of four days.

Report (September 19, 2005) from the Executive Director, Municipal Licensing and Standards, to report on the results of consultations with the taxicab industry, advocates of the disabled community and the TTC and to make preliminary recommendations to introduce service standards for accessible taxicabs into the Municipal Code.

Recommendations:

It is recommended that:

- (1) the Municipal Code, Chapter 545, Licensing, Article VIII, Owners and Drivers of Cabs be amended to:
  - (a) Extend the current Accessible Taxicab Training Course from four days to five days to include a training module regarding interpersonal communication skills, interacting with people with disabilities and a practical component focusing on transferring passengers into accessible taxicabs;
  - (b) require that drivers endorsed with an accessible taxicab licence attending the Refresher Taxicab Driver Training Course attend an additional day of training to review accessible operator best practices until 2007; and
  - (c) increase fees for the Refresher Taxicab Driver Training Course for accessible taxicab drivers only and increase fees for the Accessible Taxicab Training Course an additional \$40 each to accommodate for the extra day of training;
- (2) the Municipal Code, Chapter 545, Licensing, Article VIII, Owners and Drivers of Cabs be amended to prescribe a set of standards that taxicab drivers with accessible taxicab licences must follow, including:
  - (a) driver to announce self upon arrival at pick-up point;
  - (b) driver to provide appropriate assistance to customer when requested; and
  - (c) driver to properly and safely handle customer mobility aides;
- (3) Municipal Licensing and Standards staff continue to consult with industry stakeholders and advocates for people with disabilities and study the development of a new accessible taxicab and limousine programme with the goals of improving service and increasing capacity to address the growing need for and regulation of

this service. Issues to be addressed that were identified during the initial round of consultation were:

- (a) the need for and level of administrative requirements which must be assured by accessible taxicab service providers to ensure the protection of the disabled community, including, but not limited to, service commitments; and
- (b) the options for addressing the higher cost of providing accessible taxicab service including the provision of special purpose vehicles, trained staff, and proper tracking and dispatch of calls for service;
- (4) Municipal Licensing and Standards staff consult with provincial and/or federal levels of government to explore opportunities for funding assistance for the purchase of accessible vehicles in an effort to increase availability of accessible vehicles to the public; and
- (5) a copy of this report be forwarded to the Mayor's Roundtable on Access, Equity and Human Rights, the Mayor's Roundtable on Seniors and the Disability Issues Committee, for their information.

## **8. By-law to Provide a Right to Enter Adjoining Land to Make Repairs and Alterations**

### **Report 9, Clause 7(b)**

#### **The Planning and Transportation Committee:**

- (1) **deferred consideration of the report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards and the report (October 5, 2005) from the City Solicitor, until its meeting to be held in January 2006;**
- (2) **referred the communication (September 22, 2005) from the North York Community Council to the Acting Executive Director, Municipal Licensing and Standards, for report thereon to aforementioned meeting; and**
- (3) **requested the Acting Executive Director, Municipal Licensing and Standards to submit a report to the Planning and Transportation Committee on the enforcement policy/protocol that is transparent and useful for residents.**

Report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards, introducing new by-law provisions, as authorized by the Municipal Act, 2001, to provide a right to enter adjoining property for the purposes of making repairs and alterations.

Recommendations:

It is recommended that:

- (1) the draft by-law as set out in Schedule "A" be adopted;
  - (2) the City Solicitor be directed to prepare the necessary bill to amend Municipal Code Chapter 363, Building Construction and Demolition, as required, to give effect to the recommendation in this report; and
  - (3) copies of this report be forwarded to each of the Community Councils for information purposes.
- 8(a).** Communication (September 22, 2005) from the North York Community Council advising that the North York Community Council on September 19, 2005, referred the following recommendations to the Planning and Transportation Committee for consideration at its meeting on October 6, 2005:
- (1) that the staff recommendations in the Recommendations Section of the report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards Division, be adopted;
  - (2) that the proposed by-law:
    - (a) apply only to repairs and alterations to existing structures and only where there exists less than 4 feet between the property line and the building to be repaired or altered; and
    - (b) include a requirement that reasonable notice must be provided and be in the following form:
      - (i) written;
      - (ii) provided 10 days before the proposed access, except in an emergency; and
      - (iii) consent be obtained, but not unreasonably withheld.
- 8(b).** Communication (September 26, 2005) from the Etobicoke York Community Council advising that the Community Council on September 19, 2005, recommended to the Planning and Transportation Committee that Recommendations (1) and (2) in the report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards, be adopted.
- 8(c)** Communication (October 1, 2005) from Councillor Joe Mihevc on behalf of Dr. Mona Kornberg..



## Report 9, Clause 7(c)

### 9. Licensing of Livery Vehicles

#### Action taken by the Committee:

The Planning and Transportation Committee referred the communication (October 3, 2005) from the City Clerk to the City Clerk with a request that she meet with Councillors Stintz and Moscoe, and any other interested Councillors to find a procedural resolution to this matter, as it was not re-opened by City Council at its meeting held on September 28, 29 and 30, 2005.

Communication (October 3, 2005) from the City Clerk advising that City Council on September 28, 29 and 30, 2005, referred the following Notice of Motion by Councillor Stintz, seconded by Councillor Saundercook respecting Licensing of Livery Vehicles to the Planning and Transportation Committee:

**“WHEREAS** City Council at its meeting on May 17, 18 and 19, 2005, by its adoption, without amendment, of Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, amended the Toronto Municipal Code, Chapter 545, by adopting several new provisions relative to the licensing of livery vehicles in the City of Toronto; and

**WHEREAS** the new licensing provisions relative to the livery industry are intended, in part, to bring unlicensed limousine activity under the regulatory umbrella; and

**WHEREAS** the new sedan vehicle/stretch vehicle ratio provisions are designed as a method of ensuring that new companies coming under the regulatory umbrella are legitimate, full-service limousine companies; and

**WHEREAS** the new provisions are not intended to impact negatively on the business operations of existing limousine companies already operating legally within the current Municipal Code provisions;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, be re-opened for further consideration, only as it pertains to the ratio of sedan vehicles to stretch vehicles required to obtain a limousine service company licence for existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law;

**AND BE IT FURTHER RESOLVED THAT** City Council consider amending Chapter 545, Licensing, so that existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law, be exempt from the sedan vehicle/stretch vehicle ratio as it pertains to their existing

fleet of vehicles, other than meeting the minimum licence requirement of at least one stretch vehicle, and the sedan vehicle/stretch vehicle ratio apply to these companies on a go-forward basis as they increase the size of their existing fleets;

**AND BE IT FURTHER RESOLVED THAT** the Planning and Transportation Committee hold a public meeting to consider this matter and that notice of the meeting be given, as required by the *Municipal Act, 2001*, and Chapter 162, Notice, Public.”

**10. Appointment of Member of the Planning and Transportation Committee to the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal.**

**Report 9, Clause 7(d)**

**The Planning and Transportation Committee appointed Councillor Denzil Minnan-Wong to the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal to replace Councillor Stintz as she recently resigned from this Sub-Committee.**

**The membership of the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal is as follows:**

**Councillor P. Milczyn (Chair)**  
**Councillor C. Jenkins**  
**Councillor D. Minnan-Wong**

Councillor Stintz declared an interest in this item as her father-in-law has expressed an interest in applying for appointment to the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal.