

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 9

Thursday, October 6, 2005

The Planning and Transportation Committee met on Thursday, October 6, 2005, in Committee Room No. 1, City Hall, Toronto, commencing at 9:38 a.m.

Attendance:

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

| | 9:38 a.m. to 12:40 p.m. | 2:10 p.m. to 3:50 p.m. |
|-------------------------------------|-------------------------------|---------------------------|
| Councillor John Filion, Chair | X | X |
| Councillor Cliff Jenkins | X | X |
| Councillor Peter Milczyn | X | X |
| Councillor, Denzil Minnan-Wong | X | X |
| Councillor Howard Moscoe | X | X |
| Councillor Case Ootes | X | X |
| Councillor Karen Stintz, Vice-Chair | X | X |
| Councillor Michael Thompson | X | X |

On motion by Councillor Jenkins, the Planning and Transportation Committee confirmed the Minutes of its meeting held on September 12, 2005, and its Special Meeting held on September 28, 2005.

9-1. 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)

The Planning and Transportation Committee considered a 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 recommending 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.

The Planning and Transportation Committee also considered the following communications:

- (i) (September 20, 2005) from Sonny Sansone;

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- (ii) (October 3, 2005) from Rexton Developments Ltd.;
- (iii) (October 4, 2005) from Mr. Andrew McCammon, Chair, The Taylor Massey Project;
- (iv) (October 4, 2005) from Mr. Ian J. Lord, Weir Foulds, Barristers and Solicitors;
- (v) (October 4, 2005) from Mr. Tim Warner, Mattamy (Warden) Limited; and
- (vi) (October 6, 2005) from Mr. Stephen Diamond, McCarthy Tetrault.

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

Ms. Ruth Lambe, Senior Planner, City Planning and Mr. Ed Watkins, Manager, Community Planning, City Planning, gave a presentation to the Planning and Transportation Committee respecting this matter.

The following persons addressed the Planning and Transportation Committee:

- Mr. Michael Kilpatrick, President, Scarborough Resident's Association, and filed a written submission with respect thereto;
- Mr. Steven DaCambra, Treasurer, Santa Monica Birchmount Neighbourhood Association;
- Mr. James Beckman, Vice-Chair Santa Monica-Birchmount Residents Association;
- Mr. Kyle Walker, on behalf of Crompton Corporation and filed a written submission with respect thereto;
- Mr. Patrick Devine, on behalf of The Goldman Group;
- Mr. Andrew McCammon and filed a written submission with respect thereto; and
- Ms. Elizabeth Moyer; and filed a written submission with respect thereto.

Councillor Gerry Altobello, Scarborough Southwest, also addressed the Planning and Transportation Committee.

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

The Planning and Transportation Committee:

(I) recommended 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

(II) 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.”
(Motions by Councillor Filion on behalf of Councillor Altobello)

- (III) 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; **(Motion by Councilor Moscoe)** and
- (IV) referred the submission (October 4, 2005) from Mr. Andrew McCammon, Chair, The Taylor Massey Project, to the General Manager, Parks, Forestry and Recreation, for report thereon to the Scarborough Community Council. **(Motion by Councillor Filion on behalf of Councillor Altobello)**

(General Manager, Parks Forestry and Recreation; c. Council Administration, Scarborough Community Council – October 6, 2005)

(Clause 2, Report 9)

9-2. Improving the Planning Process - (All Wards)

The Planning and Transportation Committee considered a 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 subdivision, 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

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- (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.

The Planning and Transportation Committee also considered a communication (October 5, 2005) from Mr. Dennis Glasgow.

The following persons addressed the Planning and Transportation Committee:

- Mr. Paul Dowling, on behalf of the Homecoming Community Choice Coalition;
- Mr. Dennis Glasgow; and
- Mr. Michael Rosenberg.

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;”;
(Motion by Councillor Moscoe)

- (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; **(Motion by Councillor Filion)**
- (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; **(Motion by Councillor Moscoe)**
 - (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; **(Motion by Councillor Jenkins)** and
- (4) forwarded a copy of the aforementioned report, as amended, to the Affordable Housing Committee for information. **(Motion by Councillor Moscoe)**

Councillor Filion resumed the Chair.

(Affordable Housing Committee; Chief Planner and Executive Director, City Planning – October 6, 2005)

(Clause 7(a), Report 9)

9-3. Proposed Settlement of an Appeal to the New Official Plan 003011

The Planning and Transportation Committee considered a 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.

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

(Clause 6, Report 9)

**9-4. Amendments to the Ontario Heritage Act
(All Wards)**

The Planning and Transportation Committee considered a report (September 16, 2005) from the Chief Planner and Executive Director, City Planning, reporting on recent amendments to the Ontario Heritage Act and recommending appointment of inspectors, delegation of authority to approve certain classes of alterations to designated property and transferring 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.

The Planning and Transportation Committee also considered a communication (September 30, 2005) from the Toronto Preservation Board.

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

(A) recommended 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 new Recommendation (4) and renumbering the existing Recommendation (4) accordingly:

“(4) 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, after consultation with the local Councillor;

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

(Clause 5, Report 9)

9-5. Review of Business Licensing Fees

The Planning and Transportation Committee considered a report (September 22, 2005) from Deputy City Manager Fareed Amin, redeploying 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.

The Planning and Transportation Committee also considered the following communications:

- (1) (August 2, 2005) from the City Clerk advising that City Council on July 19, 20, 21 and 26, 2005, referred the following Recommendation (3) of the Planning and Transportation Committee back to the Committee for further consideration after public notice of the Committee's intention to discuss a proposed licensing by-law increasing licensing fees for all licensed businesses has been given in accordance with the requirements of the Municipal Act, 2001, and Toronto Municipal Code Chapter 545, Notice, Public, and directed that the hearing be limited only to matters that pertain to the increase in fees to other than holistic categories:

“(3) the 2005 Business Licensing fees (both for new licences and renewals thereof) for all other businesses licensed under Toronto Municipal Code Chapter 545, Licensing be increased by \$35.00.”; and
- (2) (October 5, 2005) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association.

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 the Toronto Municipal Code Chapter 545, Licensing, was posted on the City's web site for a minimum of four days.

The following persons addressed the Planning and Transportation Committee:

- Mr. Tim Lambrinos, Executive Director, Adult Entertainment Association of Canada;
- Mr. Jim Bell, on behalf of the Toronto Taxicab Brokerage Association;
- Mr. Spiro Koumoudouros, Chairman, Bloordale Village, and filed a written submission with respect thereto;
- Mr. Mike Tranquada, President, Independent Cab Owner's Co-operative Incorporated; and filed a written submission with respect thereto; and
- Ms. Michelle Saunders, on behalf of the Ontario Restaurant, Hotel and Motel Association.

The Planning and Transportation Committee:

- (A) recommended:
- (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 **(Motion by Councillor Moscoe)**
 - (2) that the \$9.00 Incremental Increase (per licence) for legal fees also be included for the holistics category; **(Motion by Councillor Stintz)**
- (B) 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; **(Motion by Councillor Milczyn)** and
- (C) received the communication (August 2, 2005) from the City Clerk. **(Motion by Councillor Moscoe)**

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 the Toronto Municipal Code was posted on the City’s web site for a minimum of four days.

(Clause 1, Report 9)

9-6. Proposed Taxicab Fare Increase

The Planning and Transportation Committee considered a report (September 20, 2005) from the Executive Director, Municipal Licensing and Standards, recommending 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.

The Planning and Transportation Committee also considered a communication (October 6, 2005) from Mr. Gary Slavin, S-Charger Corporation.

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 the Toronto Municipal Code was posted on the City's web site for a minimum of four days.

The following persons addressed the Planning and Transportation Committee:

- Mr. Jim Bell, on behalf of the Toronto Taxicab Brokerage Association;
- Mr. Mike Tranquada, President, Independent Cab Owner's Co-operative Incorporated; and filed a written submission with respect thereto;
- Mr. Baljit Sikand, Toronto Cab Owner's Association;

- Mr. Gary Slavin, on behalf of S-Charger Corporation.
- Mr. Ahmet Gulkan;
- Mr. Jamshid Bagherzadeh;
- Ms. Catherine Monserie Sokoloff; and
- Mr. Owen Leach.

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

(Clause 3, Report 9)

9-7. Accessible Taxicabs within the City of Toronto

The Planning and Transportation Committee considered a report (September 19, 2005) from the Executive Director, Municipal Licensing and Standards, reporting on the results of consultations with the taxicab industry, advocates of the disabled community and the TTC and making 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.

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 the Toronto Municipal Code was posted on the City's web site for a minimum of four days.

The following persons addressed the Planning and Transportation Committee:

- Mr. Bill Brown, and filed a written submission with respect thereto;
- Mr. Mark Brose; and
- Mr. Yitbarek Gebremariam.

Councillor Joe Mihevc, St. Paul's, also addressed the Planning and Transportation Committee.

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

The Planning and Transportation Committee:

- (I) recommended 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 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.”; **(Motions by Councillor Filion)**

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;

Councillor Filion resumed the Chair.

- (II) 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: **(Motion by Councillor Stintz on behalf of Councillor Mihevc)**

Moved 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.

(Acting Executive Director, Municipal Licensing and Standards
- October 6, 2005)

(Clause 4, Report 9)

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

The Planning and Transportation Committee considered a 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.

The Planning and Transportation Committee also considered the following communications and report:

- (i) (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.
- (ii) (September 26, 2005) from the Etobicoke York Community Council advising that the Etobicoke York 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;
- (iii) (October 1, 2005) from Councillor Joe Mihevc on behalf of Dr. Mona Kornberg; and
- (iv) (October 5, 2005) from the City Solicitor reviewing the legal limitations on the proposed changes to the draft by-law that have been referred to the Planning and Transportation Committee by the North York Community Council and providing suggestions on other ways of dealing with the concerns reflected in the suggested changes.

Recommendations:

It is recommended that:

- (1) the draft by-law as set out in Schedule “A” of the Executive Director of Municipal Licensing and Standards’ Report (June 8, 2005), be adopted; and
- (2) the Executive Director, Municipal Licensing and Standards, prepare a public information package on the use of the by-law [Article V, Right of Entry of Municipal Code Chapter 363, Building Construction and Demolition] and report back to the Planning and Transportation Committee on the use of the by-law and any refinements required to it in a year’s time.

Councillor Joe Mihevc, St. Paul’s, addressed the Planning and Transportation Committee.

On motion by Councillor Thompson, on behalf of Councillor Mihevc, 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 the aforementioned meeting; and
- (3) requested the Acting Executive Director, Municipal Licensing and Standards to submit a report to the Planning and Transportation Committee on enforcement policy/protocol that is transparent and useful for residents.

(Acting Executive Director, Municipal Licensing and Standards
- October 6, 2005)

(Clause 7(b), Report 9)

9-9. Licensing of Livery Vehicles

The Planning and Transportation Committee considered a 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."

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

On motion by Councillor Filion, the Planning and Transportation Committee referred the communication (October 3, 2005) from the City Clerk back to the City Clerk

with a request that she meet with Councillors Stintz and Moscoe, and any other interested Members of the Committee 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.

Councillor Filion resumed the Chair.

(Clause 7(c), Report 9)

9-10. Appointment of Member of the Planning and Transportation Committee to the Sub-Committee of the Planning and Transportation Committee respecting the Toronto Licensing Tribunal

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 is interested in applying for appointment to the Toronto Licensing Tribunal.

(Clause 7(d), Report 9)

The Committee adjourned its meeting at 3:50 p.m.

Chair