

**NOTICE OF MOTION****Barrier Free Access by-law****Moved by:** Councillor Frances Nunziata \_\_\_\_\_**Seconded by:** Councillor Adam Vaughan \_\_\_\_\_**SUMMARY:**

The *City of Toronto Act, 2006* may provide the City of Toronto with additional authority to pass by-laws related to barrier free access to buildings for persons with physical or sensory disabilities.

With respect to an existing building, Chapter 629, Property Standards, would require the maintenance of any ramp or other installation, but it does not have the authority to require the installation of any new amenities. With respect to new construction or in cases where there is significant renovation, the Ontario Building Code (O.B.C.) provides for barrier free requirements, however these provisions do not apply to existing buildings.

The City's authority under the *City of Toronto Act, 2006* to adopt a by-law requiring existing buildings to provide barrier free access has been reviewed briefly by Legal Services; however a detailed policy analysis and legal review of any proposed by-law would be necessary to decisively answer this question.

**RECOMMENDATIONS:**

1. City Council direct the Executive Director of Municipal Licensing and Standards, in consultation with the City Solicitor, to undertake the detailed review necessary to determine if the City should and can enact a by-law to require the retrofitting of existing buildings with amenities to facilitate accessibility, and to report back to the Licensing and Standards Committee.

Date May 4<sup>th</sup>, 2007