

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 8

Monday, September 11, 2000

The Planning and Transportation Committee met on September 11, 2000, in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

Councillor	9:30 a.m.	11:25 a.m.	2:00 p.m.
Councillor Joanne Flint	X	X	X
Councillor Pam McConnell	X	X	X
Councillor Maria Augimeri	X	X	X
Councillor Milton Berger	X	-	X
Councillor John Filion	-	-	-
Councillor Anne Johnston	X	X	X
Councillor Blake F. Kinahan	X	-	X
Councillor G. Lindsay Luby	X	X	X
Councillor Howard Moscoe	X	X	X
Councillor Dick O'Brien	-	-	-
Councillor Joe Pantalone	X	X	X

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

No Conflicts of Interest were declared.

Confirmation of Minutes

On motion by Councillor Moscoe, the Minutes of the meeting of the Planning and Transportation Committee held on July 10, 2000, were confirmed.

8.1. Update on City of Toronto Architecture and Urban Design Awards Program

The Planning and Transportation Committee gave consideration to a report (August 15, 2000) from the Commissioner, Urban Development Services responding to Councillor Flint's request for an update on the City of Toronto Architecture and Urban Design Awards Program and recommending that this report be received for information.

On motion by Councillor Moscoe, the Committee received this report for information.

(Commissioner, Urban Development Services – September 15, 2000)

(Clause No. 14(a), Report No. 9)

8.2. International Design Competitions for Replacement of Heritage Buildings

The Planning and Transportation Committee gave consideration to a report (August 1, 2000) from the Commissioner, Urban Development Services responding to City Council's request regarding the feasibility of requiring any developer proposing to demolish a heritage building(s) to conduct an international design competition with respect to the replacement structure and recommending that this report be received for information.

On motion by Councillor Moscoe, the Committee:

- (1) received the report (August 1, 2000) from the Commissioner of Urban Development Services; and
- (2) requested the Commissioner of Urban Development Services, during her review of the Section 37 proposals, to consider ways to assist in preserving heritage structures in the City of Toronto, and report back to the Planning and Transportation Committee accordingly.

(Commissioner, Urban Development Services; cc: Councillor Pitfield – September 18, 2000)

(Clause No. 14(b), Report No. 9)

8.3. Farmer's Market, Civic Squares

The Planning and Transportation Committee gave consideration to a report (July 12, 2000) from the Commissioner, Corporate Services responding to the Committee's request for information on Farmer's Markets coordinated on Civic Squares and recommending that this report be received for information.

The Committee received this report for information.

(Commissioner, Corporate Services – September 15, 2000)

(Clause No. 14(c), Report No. 9)

8.4. GTSB's GTA Countryside Strategy: Review of Proposed Strategic Directions

The Planning and Transportation Committee gave consideration to a report (August 23, 2000) from the Commissioner, Urban Development Services providing a review of the proposed strategic directions outlined in the GTSB Countryside and Environment Working Group Report No. 10: "A GTA Countryside Strategy" and recommending that:

- (1) the GTSB be advised that Toronto City Council endorses the proposed strategic directions process for developing a *GTA Countryside Strategy*; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Committee also had before it a report titled "A GTA Countryside Strategy: Draft Strategic Directions : Revised July 21, 2000"

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the report (August 23, 2000) from the Commissioner of Urban Development Services.

(Clause No. 1, Report No. 9)

8.5. Memorandum of Understanding Between the City of Toronto and the Toronto and Region Conservation Authority

The Planning and Transportation Committee gave consideration to a report (August 20, 2000) from the Commissioner, Urban Development Services reporting on the City entering into a Memorandum of Understanding (MOU) with the Toronto and Region

Conservation Authority (TRCA) to streamline the development approvals process for development applications received under the Planning Act, and recommending that:

- (1) Council approve the Memorandum of Understanding with the Toronto and Region Conservation Authority, substantially in the form attached to this Report as Appendix 1;
- (2) this report be forwarded to the Toronto and Region Conservation Authority for information; and
- (3) the appropriate City officials be authorised and directed to take the necessary action to give effect thereto.

On motion by Councillor Lindsay Luby, the Committee recommended to Council the adoption of the report (August 20, 2000) from the Commissioner of Urban Development Services.

(Clause No. 2, Report No. 9)

8.6. Interim Procedures During Council Election

The Planning and Transportation Committee gave consideration to a report (August 23, 2000) from the Commissioner, Urban Development Services reporting on a temporary amendment to Council adopted procedures to send city staff to the OMB as needed, and recommending that the Commissioner of Urban Development Services and the City Solicitor be authorized to send staff to attend Ontario Municipal Board hearings on matters of concern to the City, as needed, during the Council Election.

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the report (August 23, 2000) from the Commissioner of Urban Development Services subject to ensuring that consultation with City Councillors be mandatory and that individual Councillors, who wish to initiate an appeal or deferral, may formally file requests with the Commissioner of Urban Development Services on matters that are time sensitive.

(Administrator, North York Community Council – September 18, 2000)

(Clause No. 3, Report No. 9)

8.7. Road and Trail Safety Ambassadors

The Planning and Transportation Committee gave consideration to a report (July 18, 2000) from the City Clerk, Toronto Cycling Committee advising that the Toronto Cycling Committee, at its meeting held on July 17, 2000, recommended to the Planning and Transportation Committee, that the following action taken by the Committee, be endorsed:

- (1) that the Road and Trail Safety Ambassadors be congratulated for their efforts in achieving the goals of the Toronto Cycling Committee and that continued success be extended for all future endeavors; and
- (2) that these Ambassadors be suitably recognized by the City of Toronto for their efforts.

On motion by Councillor Kinahan, the Committee recommended to Council the adoption of the recommendations of the Toronto Cycling Committee, contained in the transmittal letter (July 18, 2000) from the City Clerk.

(Clause No. 4, Report No. 9)

8.8. "Rail Ways to the Future Committee"

The Planning and Transportation Committee gave consideration to a report (August 4, 2000) from the Commissioner, Urban Development Services requesting Council's support, in principle, of the Rail Ways to the Future Committee's efforts to preserve and expand the use of Ontario's rail lines for passenger and freight purposes and recommending that Council:

- (1) support, in principle, the Rail Ways to the Future Committee's efforts to preserve and expand the use of rail lines for passenger and freight purposes; and
- (2) request the Federal Minister of Transport and the Ontario Minister of Transportation to establish a Rail Renewal Task Force to examine the benefits of expanded rail services.

On motion by Councillor McConnell, the Committee recommended to Council the adoption of the report (August 4, 2000) from the Commissioner of Urban Development Services.

(Clause No. 5, Report No. 9)

8.9. Comments on Removing Roadblocks – The Draft Strategic Transportation Plan for the Greater Toronto Area and Hamilton-Wentworth

The Planning and Transportation Committee gave consideration to a report (July 18, 2000) from the Executive Director, Greater Toronto Services Board advising that the Greater Toronto Services Board adopted the attached Clause 1 of Transportation Committee Report No. 10, entitled “Comments on Removing Roadblocks – The Draft Strategic Transportation Plan for the Greater Toronto Area and Hamilton-Wentworth” and by so doing, adopted:

- (1) a strategy as a foundation to maintaining and improving the economic health and competitiveness of the Greater Toronto Area and Hamilton-Wentworth and the quality of life of the area’s residents; and
- (2) actions for implementing the Strategic Transportation Plan and requested:
 - (a) GTSB member municipalities to protect the GTA transit corridors identified in the Strategic Transportation Plan and ensure supportive land use policies for these corridors through their official plans as they are reviewed; and
 - (b) Go Transit, GTSB member municipalities and their transit operating agencies to participate in a co-operative process to develop a GTA-wide transit co-ordination protocol to provide a common basis for approaching inter-regional transit co-ordination issues.

On motion by Councillor McConnell, the Committee referred the communication (July 18, 2000) from the Executive Director, Greater Toronto Services Board and the appended material together with the following amendment suggested by the Committee, to the Commissioner of Urban Development Services for appropriate action:

“That the evaluation of the Request for Proposals for the redesigning of Union Station include an intermodal requirement, including a bus hub, if possible.”

On motion by Councillor Moscoe, the Committee noted that two major modes of transportation, cyclists and pedestrians, had been omitted from the GTSB report.

The following persons addressed the Committee with regard to this matter:

- Lois James; and
- Rhona Swarbrick, Toronto Pedestrian Committee.

(Commissioner, Urban Development Services; cc: Executive Director, Greater Toronto Services Board, Interested Persons – September 15, 2000)

(Clause No. 14(d), Report No. 9)

8.10. Intergovernmental Co-operation on Property Maintenance and Fencing of Railway and Hydro Lands

The Planning and Transportation Committee gave consideration to a report (August 28, 2000) from the City Solicitor reporting on ways in which Council, with the co-operation of other levels of government, can achieve the four objectives outlined in Councillor Disero and Councillor Palacio's communication (June 27, 2000) to ensure that CNR, CPR and Ontario Hydro lands are kept in a clean condition and recommending that:

- (1) this report be received for information; and
- (2) the Commissioner of Urban Development Services report to the Planning and Transportation Committee meeting in January 2001 on the draft fencing regulation and consultation process, and the present status of the railways' voluntary compliance with the standards in By-law No. 568-2000.

On motion by Councillor Lindsay Luby, the Committee:

- (1) received the report (August 28, 2000) from the City Solicitor for information; and
- (2) requested the Commissioner of Urban Development Services to report back to the Planning and Transportation Committee on:
 - (a) the draft fencing regulation and consultation process, and the present status of the railways' voluntary compliance with the standards in By-law No. 568-2000;
 - (b) standards for fencing of CNR, CPR and Ontario Hydro land and corridors which could be applied by Committees of Adjustment, and through Site Plan Applications abutting railway and hydro lands;

On motion by Councillor Pantalone, the Committee also:

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- (c) requested the Commissioner to address in her report the inclusion of such standards, situations, where landscaping would be involved; and
- (d) ways in which CNR and CPR could be forced to maintain fencing on railway lands.

(Commissioner, Urban Development Services; City Solicitor; cc: Councillor Disero, Councillor Palacio – September 18, 2000)

(Clause No. 14(e), Report No. 9)

8.11. Harmonization of Property Standards By-law

The Planning and Transportation Committee gave consideration to a report (May 20, 2000) from the Commissioner, Urban Development Services reporting on the harmonization of the property standards by-law and recommending that:

- (1) the attached harmonized property standards by-law be received;
- (2) all existing Property Standards Appeal Committees along with the Housing Standards Appeal Committee of the former City of Toronto be confirmed and given authority to hear appeals concerning Orders issued in relation to violations to the provisions of the new by-law until such time as a new Committee structure has been established;
- (3) this report be forwarded to all Community Councils for their review and comment for the next meeting of your Committee; and
- (4) the City seek special legislation authorizing Council to pass City wide by-laws to prohibit and regulate long grass and weeds, the clearing of ice and snow on private property and graffiti on buildings or structures, in a manner similar to that adopted by some of the former municipalities.

The Committee also had before it the following reports/communications:

- (August 22, 2000) from the Commissioner, Urban Development Services reporting further on the harmonization of the property standards by-law and recommending that:
 - (1) the report on the harmonization of the property standards by-law from the Commissioner of Urban Development Services dated May 30, 2000 along with the amendments and recommendations contained in this report be adopted; and

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- (2) the City Solicitor be directed to prepare the necessary bills to give effect to the Committee's decision for the consideration of Council at its next meeting.
- (August 25, 2000) from the City Solicitor reporting on the inclusion of a special ventilation requirement on residential buildings in the proposed Property Standards By-law and recommending that:
 - (1) this report be received for information; or
 - (2) Council request the Minister of Municipal Affairs and Housing to amend the Building Code to require kitchen exhausts in residential dwellings to be vented above the roofline in order to mitigate the impact of cooking odours on neighbouring properties.
 - (July 20, 2000) from the City Clerk, East York Community Council advising that the East York Community Council, at its meeting on July 18, 2000:
 - (1) recommended that Section No. 25C of the draft Property Standards By-law attached to the report (May 30, 2000) from the Commissioner, Urban Development Services, addressed to the Planning and Transportation Committee, be amended to provide that the maximum number of persons per dwelling be 1 person for every 20 sq. m. of habitable floor area; and
 - (2) referred the communication (July 17, 2000) from Ms. Maureen Lindsay, to the Commissioner of Urban Development Services with a request that she submit a report thereon to the Planning and Transportation Committee when this matter is considered.
 - (July 20, 2000) from the City Clerk, Etobicoke Community Council advising that the Etobicoke Community Council, at its meeting held on July 19, 2000:
 - (1) received the Property Standards By-law embodied in the following communication (June 15, 2000) from the City Clerk, Planning and Transportation Committee;
 - (2) requested the Director, Municipal Licensing and Standards, to submit a report to the Planning and Transportation Committee on the matters raised by Mr. Kenneth Hale in his deputation, such as amending the definition of "owner" to include the provisions of the Tenant Protection Act, and a standard requirement for landlords to provide a refrigerator and stove for every unit; and

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- (3) received the communications (May 16, 2000) addressed to Mr. Gino Vescio, Municipal Licensing and Standards, from Ms. Rae Moynes, Etobicoke and Ms. Georgina Logan, President, Humbervale Tenants' Association and (July 17, 2000) from Ms. Marilyn Bird, Chair, Concerned Condominium Owners.

 - (July 25, 2000) from the City Clerk, North York Community Council advising that the North York Community Council, at its meeting on July 18, 2000:
 - (1) recommended that Recommendation (4) of the report (May 30, 2000) from the Commissioner, Urban Development Services, adopted by the Planning and Transportation Committee, at its meeting held on June 12, 1999, be amended by adding thereto the following words:

“and the Legal Division by directed to also prepare draft legislation for consideration by the Province”;
 - (2) recommended that the City seek within the special legislation, the right to do elevator repairs and/or replacement and charge back the costs to the building owners in a like manner to taxes;
 - (3) requested the Commissioner, Urban Development Services, submit a report to the Planning and Transportation Committee on the feasibility of upgrading parking garages to 75 Lux.

 - (July 28, 2000) from the City Clerk, Scarborough Community Council advising that the Scarborough Community Council recommended, when Planning and Transportation Committee considers the proposed Property Standards By-law, that:
 - (1) the Commissioner of Urban Development Services report on including in the By-law a provision that garbage receptacles for all residential detached, semi-detached or street townhome dwellings be stored within a garage or in the rear yard screened from the streetline; and
 - (2) the City Solicitor report on including in the By-law a provision requiring kitchen exhausts in residential dwellings to be vented above the roofline in order to mitigate the impact of cooking odours on neighbouring properties:

 - (September 7, 2000) from the City Clerk, Toronto Community Council advising that the Toronto Community Council, at its meeting held on September 7, 2000, recommended to the Planning and Transportation Committee the endorsement of the draft harmonized Property Standards By-law attached to the report (May 30, 2000) from the Commissioner of Urban Development Services.

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- (July 24, 2000) from the City Clerk, York Community Council advising that the York Community Council, at its meeting held on July 18, 2000, directed that the Planning and Transportation Committee be advised that the York Community Council endorsed the draft harmonized Property Standards By-law attached to the report (May 30, 2000) from the Commissioner, Urban Development Services.
- (September 6, 2000) from the Chief Building Official and City Solicitor reporting on whose responsibility it is to enforce property standards on residential properties where occupied homes under construction and/or renovations have not been signed off and recommending that this report be received for information.
- (September 1, 2000) from the Commissioner, Urban Development Services reporting on fees relating to property standards appeals and the possible reduction in the time in which to file an appeal, and recommending that:
 - (1) the application fee for a property standards appeal be set at \$200.00; and
 - (2) the City Solicitor be directed to prepare the necessary bill to give effect to the Committee's decision for the consideration of Council at its next meeting.
- (undated) from Brad Butt, Executive Director, Greater Toronto Apartment Association in support of the by-law.

On motion by Councillor McConnell. the Committee recommended to Council that:

- (1) the draft Property Standards By-law appended to the report (May 30, 2000) from the Commissioner of Urban Development Services be adopted subject to the following amendments, and that authority be granted for the introduction of the necessary bill in Council for its next meeting on October 3, 2000 to give effect thereto:
 - (a) adding the following new Subsection to Section 22 – Garbage and debris storage removal:
 - “B. All garbage bags containing garbage shall be stored within an enclosed garage or in a covered garbage receptacle.;

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and that the subsections be renumbered as necessary;

(b) with respect to Section 15 – Signs:

(i) add the following new Subsection C.:

“C. Signs shall be maintained so that the information conveyed by the sign by colour, form, graphic, illumination, symbol or writing is clearly legible at all times.”

On motion by Councillor Moscoe, the Committee recommended to Council:

(ii) amend this Section to include the following:

“With respect to fire routes, signage be in an approved form and that no signage be erected, or permitted to remain, unless under the auspices of the Commissioner of Works and Emergency Services supported by an amendment to the schedule under the Fire Route By-law;

With respect to tagging and/or towing of vehicles, signage shall be in an approved form and no signage shall be erected, or permitted to remain, unless under the auspices of Toronto Police Services and in accordance with the towing from private property by-law; and

signage be free from defects or faded lettering.”

On motion by Councillor McConnell, the Committee recommended to Council that:

(c) amending Subsections A(1), A(2) and E of Section 21 – Exterior openings, doors, windows and sky lights, to read:

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- “A. (1) All exterior openings for doors and windows shall be fitted with doors or windows that are maintained in a weather tight condition to prevent drafts or leakage and protected by suitable materials to prevent the entry of rodents, vermin and insects.
- (2) Any openings in an exterior wall of a building that are not protected by a door or window shall be maintained in a weather tight condition to prevent drafts or leakage and protected by suitable materials to prevent the entry of rodents, vermin and insects.
- E. In every multiple-dwelling every window, any part of which is capable of being opened, that does not lead to a balcony and that is located two (2) metres or more above the finished grade of land upon which it faces, shall be equipped with a safety device to prevent an opening in any part of the window greater than one hundred (100) millimetres.”;
- (d) deleting Subsection B of Section 30 – Ancillary rooms, and substituting the following:
 - “B. Laundry rooms shall be maintained in a clean and sanitary condition and all sinks provided in a laundry room shall be connected to hot and cold running water and properly connected to the drainage system.”
- (e) amending Subsection A of Section 33 – Mail, to read:
 - “A. A separate and secure mail box or mail receptacle shall be provided for each dwelling unit and maintained in good repair at all times.”

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- (f) deleting Subsection C of Section 34 – Kitchen facilities, and substituting the following:
- “C. Each kitchen in a dwelling unit shall be provided with an approved, connected and operating gas or electrical supply to facilitate the operation of any cooking and refrigeration appliances.”
- (g) amending Subsection F of Section 38 – Heating and air conditioning, to read as follows:
- “F. All air conditioning systems shall be operated from June 2nd to September 14th so as to maintain an indoor temperature of not more than twenty-six degrees Celsius (26°C).”
- (h) amending Subsection F of Section 39 – Ventilation by deleting the term “carbon monoxide monitoring devices” and substituting with the term “a carbon monoxide detection system”;
- (i) deleting Subsections J, K and L of Section 41 – Garage doors; exit doors, and substituting the following:
- “J. If an exit door required under this section does not open directly to the outside of a building, the exit door must incorporate wired glass panels over fifty percent (50%) of its surface unless it is also a door which is required to have a fire protection rating, in which case it must incorporate the maximum coverage of wired glass panels allowed by the Ontario Building Code.
- K. if it is necessary to pass through a required exit door to obtain access to a lockable entrance door to the building, all doors through which a person must pass or pass by from the first required exit door to the outside of the building, except the lockable entrance door and the door opening directly to the outside, must incorporate wired glass

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panels over fifty percent (50%) of their surfaces.

- L. If a door is required to incorporate wired glass panels under Subsections J or K, the door shall conform with any requirements of the Ontario Building Code and the Ontario Fire Code.”;
- (j) amending Section 17 – Buffering, by adding the following additional Subsection:
 - “E. A barrier shall be erected to prevent airborne emissions from negatively impacting on the occupants of neighbouring properties.”
- (2) all existing Property Standards Appeal Committees, and the Housing Standards Appeal Committee of the former City of Toronto, be confirmed and granted authority to hear appeals concerning Orders issued in relation to violations to the provisions of the new by-law until such time as a new Committee structure has been established;

On motion by Councillor Augimeri, the Committee recommended:

- (3) the adoption of the report (August 25, 2000) from the City Solicitor, subject to the following amendments moved by Councillor Pantalone:
 - (a) adding the word “new” before the words “kitchen exhausts”;
 - (b) adding the words “and commercial” after the word “residential”; and
 - (c) adding to the end thereof, the following:

“where the distance between two buildings is 10 feet or less”.

so as to read:

”Council request the Minister of Municipal Affairs and Housing to amend the Building Code to require new kitchen exhausts in residential and commercial

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dwellings to be vented above the roofline in order to mitigate the impact of cooking odours on neighbouring properties where the distance between two buildings is 10 feet or less;”;

On motion by Councillor McConnell, the Committee recommended to Council that:

- (4) the City seek special legislation to give the City the right to carry out elevator repairs and/or replacement and charge back the costs to the building owners in a like manner to taxes;
- (5) the adoption of the report (September 1, 2000) from the Commissioner of Urban Development Services, which reads:
 - “(1) the application fee for a property standards appeal be set at \$200.00; and
 - (2) the City Solicitor be directed to prepare the necessary bill to give effect to the Committee's decision for the consideration of Council at its next meeting.” and
- (6) the new Property Standards By-law, as approved by Council, be made available in booklet form at a nominal cost to cover printing costs.

On motion by Councillor McConnell, the Committee referred the following suggested amendment to the draft Property Standards By-law, contained in the body of the report (August 22, 2000) from the Commissioner of Urban Development Services, to the Commissioner of Urban Development Services for further consideration:

“(b) adding the following new Subsection F. to Section 10 – Maintenance of yards and property:

“F. Play area.

- (1) Where the owner of a multiple-dwelling provides an outdoor play area on the property, the play area shall be enclosed with a chain link fence that is not less than

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one and two tenths (1.2) metres in height and have at least one (1) gate that forms part of the fence.

- (2) Every gate shall be supported on substantial hinges, self-closing and provided with a self-latching device located on the inside near the top of the gate or on the outside of the gate and not less than one hundred and five tenths (1.5) metres above grade.”

The following amendment, underlined, to Councillor Augimeri’s motion (Point (3) of this minute) was voted on and lost:

“That Councillor Augimeri’s motion to adopt the following Recommendation (2) of the report (August 25, 2000) from the City Solicitor:

- “(2) Council request the Minister of Municipal Affairs and Housing to amend the Building Code to require kitchen exhausts in residential dwellings to be vented above the roofline in order to mitigate the impact of cooking odours on neighbouring properties.”

be amended by:

- (1) adding the word “new” before the words “kitchen exhausts”;
- (2) adding the words “and commercial” after the word “residential”; and
- (3) adding to the end thereof, the following:
“where the distance between two buildings is 10 feet or less and windows are involved.”

Brad Butt, Executive Director, Greater Toronto Apartment Association, addressed the Committee with regard to this matter.

(Commissioner, Urban Development Services – September 18, 2000)

(Clause No. 6, Report No. 9)

8.12. Proposed Construction Fence By-law

The Planning and Transportation Committee gave consideration to a report (July 25, 2000) from the Commissioner, Urban Development Services reporting on the implementation of harmonized regulatory requirements by means of a Construction Fence By-law requiring erection and maintenance of fences at construction and demolition sites in the City of Toronto, and recommending that Council approve the proposed Construction Fence By-law attached.

On motion by Councillor Augimeri, the Committee recommended to Council that the proposed Construction Fence By-law, appended to the report (July 25, 2000) from the Commissioner of Urban Development Services be adopted, and that authority be granted for the introduction of the necessary bill in Council substantially in the form of the proposed By-law.

(Clause No. 12, Report No. 9)

8.13. Elevating Devices

The Planning and Transportation Committee gave consideration to a report (June 27, 2000) from the Commissioner, Urban Development Services reporting on a mechanism to ensure the mechanical fitness of elevators and recommending that this report be received.

On motion by Councillor McConnell, the Committee received the report (June 27, 2000) from the Commissioner of Urban Development Services.

(Commissioner, Urban Development Services – September 15, 2000)

(Clause No. 14(f), Report No. 9)

8.14. Carsharing Parking Permits, City-Wide

The Planning and Transportation Committee gave consideration to a report (August 17, 2000) from the Commissioner, Urban Development Services reporting on the establishment of a new class of on-street parking permits for “carsharing” vehicles as defined in this report and recommending that:

- (1) for administrative purposes, Council adopt the following formal definition of carsharing :

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“carsharing” is the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit carsharing organization. To use a vehicle a person must meet the membership requirements of the carsharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and miles driven. Carsharing organizations are typically residentially based with cars parked for convenient access within the area of the membership served by the organization.”

- (2) that, in order to implement the recommendations adopted by Council at its meeting of April 11, 12 and 13, 2000 with respect to Clause 1 of Report No. 3 of the Planning and Transportation Committee, Council authorize amendment of the required by-laws to create a new category of “carsharing” parking permits to include the parking permits previously approved for issuance to Autosshare, and that such permits be subject to the following:
 - (a) the blanket permits shall only be applicable for those streets within designated permit parking areas;
 - (b) in the case of street specific permit parking, a permit shall be issued for the specific street only when spaces are available;
 - (c) there shall be no fee for carsharing parking permits issued and applicable during the period of the first year, commencing October 1, 2000, subject to Council’s reconsideration of this matter in October, 2001; and
 - (d) the total number of “blanket” parking permits issued be limited to 25 with any increase in the number of such permits to be reviewed in one year of the date of Council’s adoption of this report;
- (3) that the Commissioner of Works and Emergency Services be requested to report to the Planning and Transportation Committee at the end of the one year period described in 2(c) on the effects of the “blanket” parking permits on the availability of permit parking spaces, together with any further recommendations if necessary; and
- (4) authority be granted for the appropriate City Officials to take the necessary action to give effect thereto, including the introduction in City Council of any bills that might be necessary.

The Committee also had before it Clause 1 of Report 3 of the Planning and Transportation Committee titled, "Car Sharing Initiatives" which was adopted, as amended, by City Council at its meeting on April 11, 12 and 13, 2000.

The Committee recommended to Council the adoption of the report (August 17, 2000) from the Commissioner of Urban Development Services.

(Clause No. 8, Report No. 9)

**8.15. Ingles v. the Corporation of the City of Toronto
Decision of the Supreme Court of Canada dated March 2, 2000**

The Planning and Transportation Committee gave consideration to a report (August 16, 2000) from the City Solicitor and Chief Building Official reporting on the result and reasons of the Supreme Court of Canada decision in *Ingles v. Tutkaluk*, released on March 2, 2000 and the recommendations from the City Solicitor and the Chief Building Official on steps to be taken in response to the decision and recommending that:

- (1) this report be received for information purposes;
- (2) City Council instruct the City Solicitor and the Chief Building Official to work with other municipalities and Chief Building Officials and approach the Province to request legislative changes dealing with municipal liability for building inspections similar to that contained in other provincial legislation as set out in more detail in this report;
- (3) the Chief Building Official with any assistance needed from the Legal Division, continue to reinforce and communicate to all building inspectors, the standard of care that they must meet in this area. The Chief Building Official, in consultation with the Legal Division, consider developing some general written guidelines, policies and practices for inspectors to follow when carrying out their inspection functions;
- (4) the Chief Building Official, with assistance from the Legal Division, review the permit application process and consider incorporating appropriate changes to respond to this case; and
- (5) the Chief Building Official consider the staffing needs of the City's building inspectors and do a further report to City Council taking into account any legislative changes that the Province may be prepared to make in this area.

On motion by Councillor Lindsay Luby, the Committee recommended to Council the adoption of the joint report (August 16, 2000) from the City Solicitor and the Chief Building Official.

(Clause No. 9, Report No. 9)

8.16. Special Legislation for the City of Toronto to Protect Rental Housing from Demolition

The Planning and Transportation Committee gave consideration to a report (August 23, 2000) from the Commissioner, Urban Development Services & the City Solicitor requesting enactment of Special Legislation which would provide Council authority to approve or not approve applications where a reduction in rental housing units through demolition or renovation is proposed, authorizing the City Solicitor to apply to the Province for Special Legislation, and recommending that Council:

- (1) approve the proposed special legislation for prevention of rental housing loss in Toronto due to demolition or renovation;
- (2) authorize the City Solicitor to make an application for special legislation substantially in the form of the draft legislation attached;
- (3) approve the expenditure of up to \$6,500, to be taken from the Corporate Contingency Account, for the purposes of covering the costs associated with making an application for special legislation entitled "An Act to Protect Rental Housing Units from Demolition in the City of Toronto."; and that
- (4) authorize and direct officials to take the necessary action to give effect thereto.

The Committee also had before it the following reports/communications:

- (undated) from Brad Butt, Executive Director, Greater Toronto Apartment Association objecting to the staff recommendations.
- (undated) from Paul York, Tenant Organizer, Greater Toronto Apartment Association supporting the motions from staff and requesting that a communication strategy be adopted by the City to inform tenants of the City's role in this issue.
- (undated) from Councillor Walker forwarding the following Notice of Motion, as adopted by the Council of the City of Toronto at its meeting held on October 26 and 27, 1999:

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Moved by: Councillor Walker

Seconded by: Councillor Mihevc

“WHEREAS half of the households in Toronto are tenant households; and

WHEREAS there are currently more than 40,000 children on the waiting list for public housing in the City of Toronto¹; and

WHEREAS the population of homeless in the City is at its highest level ever and continues to escalate; and

WHEREAS the policies set out in the Provincial Government’s Tenant Protection Act legislation have created an environment in which affordable rental housing is being depleted at an alarming rate through above guideline rent increases, vacancy decontrol and demolitions/conversions to condominiums; and

WHEREAS the recent striking down of the City of Toronto Official Plan Amendment II by the Ontario Municipal Board has removed the only remaining mechanism the City of Toronto had to manage and protect its supply of affordable rental housing; and

WHEREAS contrary to assumptions that ‘vacancy decontrol’ and the other policies of the Tenant Protection Act would cause an increase in the construction of new rental apartments, production of such units is down 97 percent from average annual production between 1989 - 1993 and continues to decline²; and

WHEREAS St. Pauls’s M.P.P., Michael Bryant, with the strong support of M.P.P. David Caplan, is seeking to sponsor a Private Bill in the Ontario Legislature to restore the municipality’s jurisdiction over final approval of all demolitions of rental housing within its boundaries; and

WHEREAS protecting Toronto’s existing stock of affordable rental housing is one of the utmost importance to Toronto City Council and the citizens it represents;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council initiate a Private Bill, through the sponsorship of M.P.P. Michael Bryant, that would restore to the municipality, final approval over all applications for demolition of rental housing in the City of Toronto, in order to give the City of Toronto the ability to protect and manage its existing rental housing stock;

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AND BE IT FURTHER RESOLVED THAT the Mayor send a letter to every member of the Ontario Legislature on behalf of Toronto City Council urging them to support the Private Bill.”

Disposition: The Motion was adopted, without amendment.

On motion by Councillor Johnston, the Committee unanimously recommended to Council that:

(1) the following Recommendations (1), (2) and (4) of the joint report (August 23, 2000) from Commissioner of Urban Development Services and the City Solicitor be adopted:

“(1) approve the proposed special legislation for prevention of rental housing loss in Toronto due to demolition or renovation;

(2) authorize the City Solicitor to make an application for special legislation substantially in the form of the draft legislation attached; and

(4) authorize and direct officials to take the necessary action to give effect thereto.”;

(2) the Commissioner of Urban Development Services, in consultation with the Commissioner of Corporate Services, be requested to prepare a communication strategy to inform tenants of the City’s action in this respect and to encourage them to lobby MPPs to support the implementation of special legislation to prevent the demolition of rental housing in the City of Toronto; and

On motion by Councillor Moscoe, the Committee unanimously recommended to Council that the mandate of the Tenant Defence Sub-Committee be expanded to include assisting tenants facing demolition of their rental units.

On motion by Councillor Johnston, the Committee recommended the adoption of the following Recommendation (3) of the joint report (August 23, 2000) from the Commissioner of Urban Development Services and the City Solicitor and in view of the financial implications inherent therein referred its action in this respect to the Policy and Finance Committee with a request that the Policy and Finance Committee forward its recommendations

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directly to Council on October 3, 2000 for consideration with the foregoing recommendations:

- “(3) approve the expenditure of up to \$6,500, to be taken from the Corporate Contingency Account, for the purposes of covering the costs associated with making an application for special legislation entitled “An Act to Protect Rental Housing Units from Demolition in the City of Toronto;”

The foregoing motion was carried unanimously with the following votes:

Yeas: Councillors Flint, McConnell, Johnston, Augimeri, Berger, Pantalone, Lindsay Luby and Moscoe (8)

The following persons addressed the Committee with regard to this matter:

- Paul York, Greater Toronto Tenants' Association; and
- Brad Butt, Executive Director, Greater Toronto Apartment Association.

(Policy and Finance Committee; cc: Chief Financial Officer and Treasurer; Manager, Urban Planning and Development Services, Budget Services Division, Finance Department – September 14, 2000)

(Clause No. 10, Report No. 9)

**8.17. Amendments to Toronto Licensing By-law 20-85
Taxicab Leasing and Vehicle Transferability**

The Planning and Transportation Committee gave consideration to a report (June 28, 2000) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee:

- (1) recommends the adoption of the report (June 15, 2000) from the Commissioner, Urban Development Services which recommends:

- “(1) Recommendation No. 14 contained in Report No. 13, Clause No. 1 of the former Emergency and Protective Services Committee, adopted with amendments by the City Council at its meeting on November 25, 26 and 27, 1998, be implemented effective January 1, 2001

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The Recommendation reads:

- Leasing of taxicabs as currently provided under By-law 20-85 is continued, with the following amendments:
 - A lessee may be party to only one taxicab lease agreement at any one time, and the lessee must drive the taxicab on a full-time basis,
 - A lessee can hire up to three alternate drivers;
- (2) with regard to vehicle replacement, the by-law be amended to allow, in the year 2000 only, a replacement vehicle to be of the model year 1994 to 1999. Any vehicle older than a 1999 model year must be currently used as a taxicab or was a taxicab within 30 days of the application to re-register. A motor vehicle registered as a taxicab will not be permitted to be re-registered as a taxicab more than twice; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”
- (2) concurred with a proposal by its Chair that he meet with industry stakeholders, and any member of the Sub-Committee who may wish to participate, to dialogue regarding this matter, and reports having requested the Chair to provide the Planning and Transportation Committee with a brief summary on the outcome of such meeting.

The Committee also had before it a communication (September 6, 2000) from Jim Bell, General Manager, Diamond Taxicab Association in opposition of the recommendations contained in the staff report of June 15, 2000.

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the recommendations of the Licensing Sub-Committee to adopt the report (June 15, 2000) from the Commissioner of Urban Development Services, which recommends:

- “(1) Recommendation No. 14 contained in Report No. 13, Clause No. 1 of the former Emergency and Protective Services Committee, adopted with amendments by City Council at its meeting of November 25, 26, 27, 1998, be implemented effective January 1, 2001;

the recommendation reads:

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- Leasing of taxicabs as currently provided under By-law 20-85 is continued, with the following amendments:
 - A lessee may be party to only one taxicab lease agreement at any one time, and the lessee must drive the taxicab on a full-time basis,
 - A lessee can hire up to three alternate drivers.
- (2) with regard to vehicle replacement, the by-law be amended, to allow, in the year 2000 only, a replacement vehicle to be of the model year 1994 to 1999 model year. Any vehicle older than a 1999 model year must be currently used as a taxicab or was a taxicab within 30 days of the application to re-register. A motor vehicle registered as a taxicab will not be permitted to be re-registered as a taxicab more than twice; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

The Committee reported to Council that the results of the consultation with industry stakeholders, as outlined in the transmittal letter (June 28, 2000) from the City Clerk, Licensing Sub-Committee, will be reported on directly to City Council for its meeting on October 3, 2000.

The following persons addressed the Committee with regard to this matter:

- Robert Stewart, Law Clerk;
- Jim Bell, General Manager, Diamond Taxicab Association;
- Eugene Meikle, Toronto Taxi Drivers Association;
- Sajid Mughal, Ontario Taxi Union;
- Kuldip Singh;
- Wilma Walsh, Ambassador Taxi Association;
- Mohamed Reza Husseinioun, Ontario Taxi Union;
- Gurdeep Singh Johal; and
- Andy Zober.

(Commissioner, Urban Development Services; Councillor Moscoe; cc: Executive Director, Municipal Licensing and Standards Division – September 18, 2000)

(Clause No. 11, Report No. 9)

8.18. Amendments to By-law #20-85 as it Relates to Food Premises

The Planning and Transportation Committee gave consideration to a report (September 11, 2000) from the Medical Officer of Health identifying amendments required for Licensing By-law No. 574-2000 for implementation of the Council approved food premises disclosure system and recommending that this report be received for information.

The Committee also had before it a report (August 28, 2000) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting held on August 24, 2000, received for information the attached report (August 24, 2000) from the Medical Officer of Health titled "Amendments to Licensing By-law No. 20-85 as it relates to Food Premises".

The Committee received the report (September 11, 2000) from the Medical Officer of Health and the transmittal letter (August 28, 2000) from the City Clerk, Licensing Sub-Committee.

(Medical Officer of Health; cc: Interested Persons – September 18, 2000)

(Clause No. 14(g), Report No. 9)

8.19. Program Enhancements and Consolidation of By-laws Affecting Parking Enforcement on Private Property

The Planning and Transportation Committee gave consideration to a report (August 28, 2000) from the City Clerk, Licensing Sub-Committee forwarding action taken by the Licensing Sub-Committee, at its meeting on August 24, 2000, recommending that:

- (1) the joint report (May 30, 2000) from the City Solicitor and the Commissioner of Urban Development Services together with the amendments made by Councillor Moscoe, which were endorsed in principle by the Administration Committee at its meeting on July 11, 2000, be adopted subject to amending Licensing By-law No. 20-85 in respect of towing, vehicle storage and parking enforcement on private properties to include the following:
 - (a) the provision of a "drop fee" by which a tow truck be required to unload a vehicle at the request of the owner or driver subject to the payment of a "drop fee", which fee shall be established in an amount equivalent to the "drop fee" charged by a police tow;
 - (b) the 30-minute grace period cover three parking spaces or less;

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- (c) the landlord of a residential building be required to post a sign advising visitors the means by which to obtain a visitor's permit, and be required to provide an opportunity for visitors to obtain a visitor permit at no charge within the 30-minute grace period;
 - (d) signage in all pounds advising vehicle owners of their rights and responsibilities include a telephone number dedicated to receiving complaints;
 - (e) an appropriate fee be charged for properties to be designated as private properties and for the supervision by the Toronto Police Service of these properties; and
- (2) the following reports be received for information:
- (August 8, 2000) from the City Solicitor titled "Proposal that City Collect Towing and Storage Fees for Vehicles Towed from Private Property"
 - (August 17, 2000) from the Chief Financial Officer and Treasurer titled "Report Requested on Collection of Towing Fees by the City of Toronto"
 - (August 10, 2000) from the Chairman, Toronto Police Services Board.

The Sub-Committee advises having requested the Toronto Police Service, Parking Enforcement, to report to the Planning and Transportation Committee on the feasibility of incorporating into their approval process for apartment buildings a process whereby visitors can obtain a parking pass for their vehicle.

The Committee also had before them the following reports/communications:

- (August 28, 2000) from John Weingust, Barrister & Solicitor, opposing the passing of a by-law with respect to private property parking enforcement.
- (September 8, 2000) from John Weingust, Barrister & Solicitor, recommending leaving out the lien rights to the towing company.
- (September 5, 2000) from Irwin Patterson forwarding comments respecting by-laws affecting parking on private property.
- (undated) from Irwin Patterson forwarding comments respecting by-laws affecting parking enforcement on private property and towing.

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- (undated) from Brad Butt, Greater Toronto Apartment Association requesting that the Committee amend the recommendations to classify "resident parking" in the same category as fire routes, disabled parking spots and loading zones in providing for the ability to immediately tag and tow a vehicle without a grace period.

On motion by Councillor Moscoe, the Committee recommended to Council that:

- (1) the recommendations of the Licensing Sub-Committee contained in the transmittal letter (August 28, 2000) from the City Clerk be adopted subject to:

(a) adding after the words "Licensing By-law No. 20-85" in Recommendation (1), the words "and By-law No. 574-2000";

(b) deleting Recommendation 1(a) which reads:

"(a) the provision of a "drop fee" by which a tow truck be required to unload a vehicle at the request of the owner or driver subject to the payment of a "drop fee", which fee shall be established in an amount equivalent to the "drop fee" charged by a police tow;"

(c) deleting Recommendation 1(b) which reads:

"(b) the 30-minute grace period cover three parking spaces or less;"

and replacing it with the following Recommendation 1(b):

"(b) a 30-minute grace period between ticketing and towing be established for an area containing three parking spaces;"

so that the recommendations of the Licensing Sub-Committee now read as follows:

- "(1) the joint report (May 30, 2000) from the City Solicitor and the Commissioner of Urban Development Services together with the amendments made by Councillor Howard Moscoe,

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which were endorsed in principle by the Administration Committee at its meeting on July 11, 2000, be adopted subject to amending Licensing By-law No. 574-2000 in respect of towing, vehicle storage and parking enforcement on private properties to include the following:

- (a) a 30-minute grace period between ticketing and towing be established for an area containing three parking spaces;
 - (b) the landlord of a residential building be required to post a sign advising visitors the means by which to obtain a visitor's permit, and be required to provide an opportunity for visitors to obtain a visitor permit at no charge within the 30-minute grace period;
 - (c) signage in all pounds advising vehicle owners of their rights and responsibilities include a telephone number dedicated to receiving complaints; and
 - (d) an appropriate fee be charged for properties to be designated as private properties and for the supervision by the Toronto Police Service of these properties; and
- (2) the following reports be received for information:
- (August 8, 2000) from the City Solicitor titled "Proposal that City Collect Towing and Storage Fees for Vehicles Towed from Private Property"
 - (August 17, 2000) from the Chief Financial Officer and Treasurer titled "Report Requested on Collection of Towing Fees by the City of Toronto";
- (2) "resident parking" be classified in the same category as fire routes, disabled parking spots and loading zones in providing for the ability to immediately tag and tow a vehicle without a grace period provided a tenant who leases the spot sign a complaint form prior to a car being towed;

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- (3) the following recommendations contained in the report (August 10, 2000) from Toronto Police Services Board titled "Toronto Police Service Parking Enforcement – Police Assumption of Private Property Parking Enforcement" be adopted subject to amending the number of allowable parking spaces from six to three parking spaces as recommended in the foregoing Recommendation 1(a) respecting the grace period:
- “(1) towing be re-introduced city-wide under three conditions:
- (a) where a Provincial Offences Act parking infraction notice has been previously issued to the vehicle;
- (b) where the required grace period between ticketing and towing has expired, a half-hour grace period between ticketing and towing be established with the following exceptions:
- vehicles found parked in an approved and properly signed fire route, in a disabled parking space, in a loading bay, or in an internal driveway;
 - unauthorized vehicles parked on properties containing three or fewer parking spaces,
 - vehicles that are being relocated into a supervised, secured, fenced compound located on the same property, and
 - unauthorized vehicles found parked on a licensed pay parking lot;
- (c) where the Chief of Police has approved the property”;

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- (4) signage with respect to tagging and/or towing of vehicles shall be in an approved form and no signage shall be erected, or permitted to remain, unless under the auspices of Toronto Police Services and, in accordance with the towing from private property by-law; and
- (5) authority be granted for the introduction of the necessary bills in Council to give effect thereto.

The Committee advised Council that the report requested by the Licensing Sub-Committee of the Toronto Police Service, Parking Enforcement on the feasibility of incorporating into their approval process for apartment buildings, a process whereby visitors can obtain a parking pass for their vehicle, will be submitted directly to Council for its meeting on October 3, 2000.

The following persons addressed the Committee with regard to this matter:

- Irwin Patterson;
- Brad Butt, Executive Director, Greater Toronto Apartment Association; and
- Brian Kerr, Park Smart.

(City Council; cc: Commissioner, Urban Development Services, Executive Director, Municipal Licensing and Standards Division, City Solicitor – September 19, 2000)

(Clause No. 14(h), Report No. 9)

8.20. Definition of Cab Owner for Licensing By-law

The Planning and Transportation Committee gave consideration to a report (August 28, 2000) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on August 24, 2000, recommended that:

- (1) the definition set out in the joint report (August 11, 2000) from the City Solicitor and the Commissioner of Urban Development Services be added to By-law No. 20-85, the licensing by-law that is currently in effect, and to By-law No. 574-00, the licensing by-law that will replace By-law No. 20-85 on January 1, 2001 (hereinafter both referred to as "the licensing by-laws");
- (2) the definition for "Owner" in s.1(9) of Schedule 8 of By-law No. 20-85 and in s.1(13) of Schedule 8 of By-law No. 574-00, be deleted; and

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

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the recommendations of the Licensing Sub-Committee contained in the transmittal letter (August 28, 2000) from the City Clerk, and that authority be granted for the introduction of the necessary bills in Council to give effect thereto.

The following persons addressed the Committee with regard to this matter:

- Robert Stewart, Law Clerk;
- Eugene Meikle, Toronto Taxi Drivers Association; and
- Wilma Wash, Ambassador Taxi Association.

(Clause No. 12, Report No. 9)

**8.21. Taxicab Owner/Agent Refresher Training Courses
Toronto Taxi Alliance Inc. v. City of Toronto –
Application to Quash By-law No. 20-85, Schedule 8, Section 45**

The Planning and Transportation Committee gave consideration to a report (August 28, 2000) from the City Clerk, Licensing Sub-Committee forwarding action taken by the Licensing Sub-Committee, at its meeting held on August 24, 2000 and advising that:

- (1) With respect to the matter of taxicab owner/agent refresher training courses:

The Licensing Sub-Committee recommended that the Municipal Licensing and Standards Division, Taxi Industry Unit, Training Section design, develop and deliver (internally) a three (3)-day taxicab license owner and designated agent refresher training course that must be taken annually by all taxicab owners and designated agents licensed in the City of Toronto, and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and

- (2) With respect to the matter of the Toronto Taxi Alliance Inc. v. City of Toronto, Application to Quash By-law No. 20-85, Schedule 8, Section 45:

The Licensing Sub-Committee recommended adoption of the following recommendations contained in the report (August 11, 2000) from the City Solicitor:

- “(1) Section 45 of Schedule 8 to By-law No. 20-85 be repealed and replaced with a provision in the form of Appendix "A", attached hereto,

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prescribing the grounds upon which individual taxicab owners may designate a person to attend scheduled inspections on their behalf;

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

The Committee also had before it the following reports/communications:

- (August 28, 2000) from the City Solicitor responding to the request by the Licensing Sub-Committee for a report respecting the documentation required to be filed by a taxicab owner in support of his or her application for an exemption from attending a scheduled examination of his or her taxicab by reason of illness, injury or infirmity, and a report respecting mechanisms to close the “loophole” where a taxicab owner requests exemptions from scheduled examinations of his or her taxicab on a continuous basis and recommending that:
 - (1) if City Council wishes to specify the documentation which must be filed by an owner who seeks an exemption from attending a scheduled examination of his or her taxicab by reason of illness, injury or infirmity, it is recommended that Schedule 8 to By-law No. 20-85 be further amended by adding a provision requiring such owners to file with the Municipal Licensing and Standards Division, a medical report from a duly qualified medical practitioner ;
 - (2) if City Council wishes to have added assurance that all requests for exemptions are *bona fide*, it is recommended that:
 - (a) Schedule 8 to By-law No. 20-85 be further amended to require owners who request an exemption to file with their application a statutory declaration stating that they are unable to attend the examination by reason of illness, injury or infirmity; and
 - (b) Schedule 8 to By-law No. 20-85 be amended to require that where there are reasonable grounds to believe that an owner has filed a false declaration, a hearing be held before the Toronto Licensing Tribunal to determine whether such owner’s licence should be suspended, revoked or have conditions placed on it;
 - (3) By-law No. 574-2000, a By-law for the licensing, regulating and governing of trades, businesses and occupations in the City of Toronto which repeals and replaces By-law No. 20-85 effective January 1, 2001, be amended correspondingly; and

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- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- (undated) from Jim Bell, General Manager, Diamond Taxicab Association, forwarding comments respecting owner retraining/dot owner appearance.
 - (September 11, 2000) from George H. Rust-D'Eye, Weir & Foulds, on behalf of Toronto Taxi Alliance Inc. submitting the following comments:
 - (1) the proposals do not provide a proper response to the Court's decision, and may lead to further litigation;
 - (2) the proposals do not serve any useful or lawful objective of the City in licensing taxicabs;
 - (3) the proposed requirements are based on inaccurate and hurtful mischaracterizations of the small business proprietors who are affected by them;
 - (4) the provisions will continue to discriminate unfairly against individuals who own their own taxicabs;
 - (5) the effect of the provisions on individuals who are no longer actively involved in physically driving or operating their taxicabs is arbitrary, punitive and inhumane;
 - (6) the Committee should refer the proposals back to staff, with a recommendation that consultation be undertaken with the taxicab industry as to how the City's objectives can be achieved, to report back to the new City Council at the beginning of 2001.

On motion by Councillor Moscoe, the Committee:

- (1) deferred consideration of the recommendations of the Licensing Sub-Committee with respect to Taxicab Owner/Agent Training Courses and the Toronto Taxi Alliance v. City of Toronto – Application to Quash By-law No. 20-85, Schedule 8, Section 45, as well as the report (August 28, 2000) from the City Solicitor; and
- (2) requested the City Solicitor to report further to the Planning and Transportation Committee on the feasibility of providing an age and/or health exemption to people who are not actively driving taxis at the age of 65, or any other

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appropriate age, and to include an exemption to a spouse who has never driven a taxicab.

The following persons addressed the Committee with regard to this matter:

- George Rust D'Eye, Weir and Foulds, Barristers & Solicitors;
- Robert Stewart, Law Clerk;
- Jim Bell, General Manager, Diamond Taxicab Association;
- Andy Zober;
- Eugene Meikle, Toronto Taxi Drivers Association;
- Wilma Walsh, Ambassador Taxi Association;
- Alex Abramowitz;
- Michael Carman;
- Kuldip Singh Virk;
- Jim Kel;
- Henry Bieda;
- Murray Goldmintz; and
- Larry Huang.

(Clause No. 14(i), Report No. 9)

8.22. Bike Share Program

The Planning and Transportation Committee gave consideration to a report (August 22, 2000) from the City Clerk, Toronto Cycling Committee advising that the Toronto Cycling Committee, at its meeting held on July 17, 2000, recommended that the Planning and Transportation Committee be requested to endorse the following action:

- (1) that the Commissioner of Corporate Services be requested to report to the Planning and Transportation Committee on:
 - (a) the allocation of space for the long-term needs of the Bike Share Program based on specifications determined by the Community Bicycle Network as indicated in their communication (July 13, 2000) to the Toronto Cycling Committee;
 - (b) the designation of space at Metro Hall, City Hall and Union Station, to establish bicycle delivery "hubs" for the Bike Share Program; and
 - (c) the financial and staff implications of these proposals; and
- (2) that the Commissioner of Works and Emergency Services be requested to report to the Planning and Transportation Committee on:

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- (a) the introduction of a program to collect and deliver unwanted and abandoned bicycles to be used in the Bike Share Program;
 - (b) the commitment of funds for an operating budget for the Bike Share Program; and
 - (c) the financial and staff implications for this proposal.

On motion by Councillor Moscoe, the Committee endorsed the action taken by the Toronto Cycling Committee and referred the transmittal letter (August 22, 2000) from the City Clerk to the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services with a request that they report to the Planning and Transportation Committee with the reports requested therein.

(Commissioner, Corporate Services; Commissioner, Works and Emergency Services;
cc: Toronto Cycling Committee – September 15, 2000)

(Clause No. 14(j), Report No. 9)

8.23. Distribution of Free Newspapers and their Negative Impact on the Cleanliness of the Transit System and Surrounding City Property

The Planning and Transportation Committee gave consideration to a report (September 5, 2000) from the General Secretary, Toronto Transit Commission forwarding the following resolutions, from its meeting on September 5, 2000, for consideration by the Planning and Transportation Committee with respect to the distribution of free newspapers and the negative impact it is having on the cleanliness of the transit system and surrounding City property:

- “(1) request the City Licensing Sub-Committee to amend the Bill Distribution By-law to eliminate the current exemption provided to newspapers;
- (2) request the City Planning & Transportation Committee to initiate a blitz to ensure that distributors have licenses;
- (3) that this matter be brought to the attention of City Council through the next meeting of the City Planning & Transportation Committee for the purpose of requesting the City to process applications for newspaper box permits, and removal of any boxes that do not meet this license requirement; and further that in reviewing the location of the boxes that the TTC be consulted for input as to location;

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- (4) request City Council through the City Planning & Transportation Committee to examine licensing fees for boxes, with such fees to include contributions for the cost of TTC and City clean up;
 - (5) request the owners of the free transit newspapers to initiate a process of stapling the pages of their newspapers;
 - (6) request the owners of the free publications to pay a fair share of the clean-up costs associated with their publications;
 - (7) request the owners of the free transit newspapers to share in the funding of providing additional recycling boxes in subway stations;
 - (8) request TTC staff to install new newspaper recycling bins at any station in which they might be required and, in view of the free newspapers that are being distributed, ensure that there are sufficient such boxes at the high volume stations;
 - (9) request TTC staff to report on the possibility of installing recycling bins for cans, bottles, and other recyclables at appropriate locations;
 - (10) request the TTC Solicitor to report to the Chief General Manager about legal remedies under the law of nuisance or otherwise against the owners of the free publications;
 - (11) request TTC staff to review the possibility of hiring permanent staff to ensure a clean system;
 - (12) request TTC staff to review with applicable City staff what can be undertaken to ensure cleanliness in the vicinity of newspaper boxes located near or at subway stations;
 - (13) request TTC staff to review the design of current garbage cans for possible improvement; and
 - (14) request TTC staff to review the possibility of locating OMG Recycling containers outside of TTC subway stations.

and advised that the foregoing is forwarded to the City Planning & Transportation Committee for consideration at its meeting on Monday, September 11, 2000 as it relates to Resolution Nos. 2, 3 and 4 noted above.

On motion by Councillor Moscoe, the Committee recommended to Council that:

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- (1) the Toronto Star and the Toronto Sun, owners of two of the free newspapers distributed on the transit system, be requested to include on the front pages of these free publications a message urging readers to dispose of the newspapers in a recycling receptacle after use; and
- (2) Council endorse the action taken by the Toronto Transit Commission as set out in following Resolutions (5) – (7) contained in the communication (September 5, 2000) from the General Secretary, Toronto Transit Commission:
 - “(5) request the owners of the free transit newspapers to initiate a process of stapling the pages of their newspapers;
 - (6) request the owners of the free publications to pay a fair share of the clean-up costs associated with their publications;
 - (7) request the owners of the free transit newspapers to share in the funding of providing additional recycling boxes in subway stations;”

On motion by Councillor Moscoe, the Committee:

- (1) referred Resolution (1) of the Toronto Transit Commission to the Licensing Sub-Committee, and requested the Commissioner of Urban Development Services and the City Solicitor to report thereon;
- (2) deferred consideration of Resolution (2) of the Toronto Transit Commission; and
- (3) subject to ensuring that the funding from fees referred to in Resolution (4) be directed to the TTC for clean-up costs, referred Resolutions (3) and (4) to the Commissioner, Urban Development Services, with a request that she report thereon, in consultation with the Commissioner of Works and Emergency Services, to the Planning and Transportation Committee.

Rick Ducharme, Chief General Manager, Toronto Transit Commission gave an overhead presentation on this matter.

(Licensing Sub-Committee; Commissioner, Urban Development Services; Commissioner, Works and Emergency Services; City Solicitor; cc: Vince Rodo, General

Secretary, Toronto Transit Commission, Administrator, Works Committee – September 21, 2000)

(Clause No. 13, Report No. 9)

8.24. Mobile Signs

The Planning and Transportation Committee gave consideration to a report (August 29, 2000) from Councillor Bossons requesting that the Commissioner of Urban Development Services, in consultation with the City Solicitor, the Medical Officer of Health and the Commissioner of Works and Emergency Services, report to the Planning and Transportation Committee on a by-law that would enable the City to license or to permit these advertising vehicles.

The Committee referred the communication (August 29, 2000) from Councillor Bossons to the Commissioner of Urban Development Services with a request that she, in consultation with the City Solicitor, the Medical Officer of Health and the Commissioner of Works and Emergency Services, report to the Planning and Transportation Committee on a by-law that would enable the City to license or permit these advertising vehicles.

(Commissioner, Urban Development Services; City Solicitor; Medical Officer of Health; Commissioner, Works and Emergency Services – September 18, 2000)

(Clause No. 14(k), Report No. 9)

8.25. Russell Hill Subway Train Accident of August 11, 1995 due Diligence Checklist Update

The Planning and Transportation Committee gave consideration to a report (September 6, 2000) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission, at its meeting on September 5, 2000, considered Toronto Transit Commission Report No. 17, entitled "Russell Hill Subway Accident of August 11, 1995 Due Diligence Checklist Update", and recommended that the Commission:

- (1) receive for information the updated Due Diligence Checklist relating to the Russell Hill Subway Train Accident of August 11, 1995, which provides a status report on the progress toward closing the Coroner's Jury Recommendations and the TTC's Internal Team Recommendations; and
- (2) forward this report to the Chief Coroner of Ontario, the City of Toronto, and the Province of Ontario for information.

On motion by Councillor Pantalone, the Committee received this report.

(Vincent Rodo, General Secretary, Toronto Transit Commission – September 18, 2000)

(Clause No. 14(l), Report No. 9)

8.26. Rental Costs Associated With Community Consultation Meetings

The Planning and Transportation Committee gave consideration to a report (September 11, 2000) from Councillor Flint forwarding a motion respecting the fact that local facilities (usually schools) are now charging a rental fee for community consultation meetings with local residents and the local Councillors to review re-zoning applications, and recommending that staff report to the next meeting of the Planning and Transportation Committee on amending the tariff of fees to include additional rental costs associated with community consultation meetings.

The Committee referred the motion (September 11, 2000) from Councillor Flint to the Commissioner of Urban Development Services with a request that she report to the next meeting of the Planning and Transportation Committee on amending the tariff of fees to include the additional rental costs associated with community consultation meetings.

(Commissioner, Urban Development Services; cc: Councillor Flint – September 18, 2000)

(Clause No. 14(m), Report No. 9)

The meeting adjourned at 6:35 p.m.

Chair