

THE CITY OF TORONTO

Clerk's Department

Minutes of the Emergency and Protective Services Committee

Tuesday, July 14, 1998

The Emergency and Protective Services Committee met on Tuesday, July 14, 1998, in Committee Room A, 2nd Floor, Metro Hall, 55 John Street, Toronto, commencing at 9:30 a.m.

Members Present:

Councillor Dennis Fotinos, Chair
Councillor Brian Ashton
Councillor Bas Balkissoon
Councillor Milton Berger
Councillor Brad Duguid
Councillor Joanne Flint
Councillor Norman Gardner
Councillor Mario Giansante
Councillor Denzil Minnan-Wong
Councillor Frances Nunziata

Also Present:

Councillor Howard Moscoe, ex officio member, representing Toronto Licensing.

Confirmation of Minutes

On motion by Councillor Moscoe, the Minutes of the meeting of the Emergency and Protective Services Committee held on June 16, 1998, were confirmed.

82. Proposals for the Provision of Services Related to the Inspection of Taxicabs, Livery Cabs Including Limousines and Driving School Vehicles.

The Emergency and Protective Services Committee had before it a report (June 19, 1998) from the General Manager, Toronto Licensing Commission, recommending that:

- (1) the City of Toronto enter into a contract with Reg Quinn Ltd. until the end of December 1998 for the mechanical inspection of taxicabs, livery vehicles and driving school vehicles; and

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- (2) 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 foregoing report.

(Clause No. 3 - Report No. 8)

83. Visitor Parking on Residential Permit Parking Streets.

The Emergency and Protective Services Committee had before it a report (June 26, 1998) from the Commissioner of Works and Emergency Services, advising of the various options for temporary visitor parking on residential streets which have permit parking regulations in effect in the new City of Toronto; that visitor parking permits are currently available in the communities of Toronto, York and Etobicoke, under the policies and regulations approved by the former respective City Councils; that staff are currently working on a report to be submitted to the Urban Environment and Development Committee on issues related to a uniform permit parking by-law.

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

(Clause No. 7(d) - Report No. 8)

84. Fire and Ambulance Facilities Study - Selection of Consultant.

The Emergency and Protective Services Committee had before it a joint report (July 10, 1998) from the Commissioner of Works and Emergency Services and the Fire Chief, recommending that:

- (1) this report addressing the selection of KPMG Canada as the consultant for the Fire and Ambulance Facilities Study, be received for information; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Duguid, the Committee received the foregoing report for information.

(Clause No. 7(e) - Report No. 8)

(See Minute No. 93)

85. Final Report of the Task Force to Review the Taxi Industry

Councillor Denzil Minnan-Wong, Chair, Task Force to Review the Taxi Industry, verbally reported that the Task Force is having difficulty complying with the 90-day deadline approved by the Emergency and Protective Services Committee and Council in April 1998 for the submission of its recommendations on the taxi industry as the necessary meetings cannot be convened until late August; and requesting that the Task Force be given an extension of time to allow it to submit its final report to the Emergency and Protective Services Committee in September 1998.

The Committee recommended to Council that the foregoing request be approved.

(Clause 6 - Report No. 8)

86. Fire Services Shoulder Flash.

The Emergency and Protective Services Committee had before it a report (July 12, 1998) from the Fire Chief, recommending that Council endorse and approve the use of the attached shoulder flash for use by all uniformed staff of the Toronto Fire Services.

On motion by Councillor Nunziata, the Committee:

- (a) recommended to Council the adoption of the foregoing report; and
- (b) requested the Fire Chief to provide copies of the other designs to Council when it considers this matter on July 29, 1998.

(Clause No. 5 - Report No. 8)

87. Critical Care Transport Program.

The Emergency and Protective Services Committee had before it a report (June 15, 1998) from the Acting General Manager, Toronto Ambulance, recommending that:

- (1) Toronto Council endorse Toronto Ambulance's Critical Care Transport Unit (CCTU) program;
- (2) Toronto Council endorse Toronto Ambulance's pursuit of revenue opportunities which subsidize social safety net public ambulance service and reduce reliance on municipal taxes, in particular where such opportunities arise from provincial restructuring initiatives;

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- (3) Toronto Council authorize Toronto Ambulance to enter into CCTU Cost-recovery or cost-recovery plus contracts with various hospitals; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Ashton, the Committee:

- (a) recommended to Council the adoption of the foregoing report, subject to:
 - (1) Recommendation No. (3) being amended by deleting the words "cost-recovery or" and by adding at the end thereof the words "and that staff be requested to further define the elements of cost-recovery plus" so that such recommendation reads as follows:
 - “(3) Toronto Council authorize Toronto Ambulance to enter into CCTU cost-recovery plus contracts with various hospitals and that staff be requested to further define the elements of 'cost-recovery plus.';" and
 - (2) the Commissioner of Works and Emergency Services forwarding the agreements, when constructed, to City Council for approval; and
- (b) requested the Commissioner of Works and Emergency Services to report further to the Emergency and Protective Services Committee on the additional costs related to the down time of ambulances during critical care transport.

(Clause No. 2 - Report No. 8)

88. Amendments to By-law 133-1998 - Fees and Charges for Services Provided by the Toronto Fire Services.

The Emergency and Protective Services Committee had before it a report (July 13, 1998) from the Fire Chief, recommending that:

- (1) Section 7, related to interest charges on outstanding balance, be deleted; and
- (2) Section 13(3), related to reimbursement, be amended to include the following at the end of the sub-section "within the previous twelve month period".

On motion by Councillor Moscoe, the Committee recommended to Council the adoption of the foregoing report and that the necessary Bill be introduced in Council to give effect thereto.

(Clause No. 4 - Report No. 8)

89. Holistic Practitioner Licensing Category.

The Emergency and Protective Services Committee had before it the following reports and communication:

- (i) (June 22, 1998) from the General Manager, Toronto Licensing, recommending that:
 - (1) A category be created for “holistic services” that includes modalities used for therapeutic and wellness purposes that involve touching or massaging, but does not include therapies where touching is incidental;
 - (2) Subject to legal opinion, By-law 20-85 be amended to establish new licensing categories for “holistic centre” owners, and individuals administering therapy referred to as “holistic practitioners” as follows:
 - (a) Grant licences to currently active holistic practitioners during a sixty (60) day grandparenting period. Applicants will have sixty (60) days from the date of the passing of the By-law amendments to submit reasonable proof of business activity;
 - (b) Require that any practitioners wishing to obtain a municipal licence after the end of the sixty-day period, show proof of training in one or more modality;
 - (c) Establish regulations requiring that licensees:
 - (i) file proof of training;
 - (ii) be 18 years or older;
 - (iii) remain fully clothed;
 - (iv) provide services only to clients who are clothed or appropriately draped;
 - (v) not be under the influence of drugs or alcohol; and,
 - (vi) display a licence (with photo identification) while providing service.
 - (d) Establish regulations requiring that owners:

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- (i) carry insurance;
 - (ii) file corporate documents;
 - (iii) record business and client transactions;
 - (iv) meet standards for health and sanitation;
 - (v) post the licence at work locations;
 - (vi) cite a licence number on all advertising;
 - (vii) close centres to all new clients between 10:00 p.m. and 7:00 a.m.;
 - (viii) hire only licensed practitioners; and,
 - (ix) keep a record of employees;
- (3) The licence fee and expiry date as set out in this report be approved;
- (4) A permanent advisory committee be established and that reporting relationships, representation and the role of the committee be referred to staff and the advisory committee for further development; and
- (5) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- (ii) (June 29, 1998) from Mr. Mario Paliska, Ontario Alliance of Concerned Traditional Citizens, commenting on the various organizations involved in this industry. (Also attached for the information of members of the Committee are copies of submissions made to the Metro Licensing Commission in 1997 by Mr. Paliska.)
- (iii) (June 30, 1998) from the City Solicitor recommending that:
- (1) the definitions of “holistic practices”, “holistic services”, “holistic centres” and “holistic practitioner” be further particularized;
 - (2) the Commissioner of Urban Planning and Development Services be requested to report to the Emergency and Protective Services Committee on the type and amount of the business insurance to be provided by owners of holistic centres and practitioners of holistic services and on the standards of health and sanitation to be met by these businesses;
 - (3) the Commissioner of Urban Planning and Development Services be requested to review the issue of the training certificates to be provided by persons seeking licences as practitioners of holistic services, and to report to the Emergency and Protective Services Committee accordingly; and

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- (4) the recommendations of the Advisory Committee with respect to the adoption by City Council of a policy for sanctions for infractions of the proposed regulations not be adopted.

The following persons appeared before the Emergency and Protective Services Committee in connection with the foregoing matter:

- Mr. Mario Paliska, Ontario Alliance of Concerned Traditional Citizens, Toronto;
- Ms. Maggie Mann, Member, Advisory Committee on Complementary Therapies, Toronto; and
- Ms. Diane May, Member, Advisory Committee on Complementary Therapies, Mississauga.

A. Councillor Balkissoon moved that the foregoing reports and communication, be referred to the General Manager, Toronto Licensing Commission, in consultation with the City Solicitor, for a joint report thereon to the Committee.

B. Councillor Moscoe moved that:

“(1) a fee be established for holistic therapy centres that reflects the licence fee for massagists and massage parlours, i.e. \$135;

(2) the General Manager, Toronto Licensing Commission, be requested to:

(a) review the licence fee after it has been in effect for a period of time so that the adjustments that may be necessary can be made and submit a report thereon to the Emergency and Protective Services Committee after six months;

(b) examine the feasibility of eliminating the word ‘new’ from the proposed regulation requiring that owners ‘close centres to all new clients between 10:00 p.m. and 7:00 a.m.’; and

(3) the Commissioner of Urban Planning and Development Services be requested to provide clarification as to zoning.”

C. Councillor Nunziata moved that after zoning approval is given by the City, there also be a process of public meetings and public consultation for the issuance of such licences.

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- D. Councillor Ashton moved that:
- (1) the General Manager, Toronto Licensing Commission, be request to report further on including those holistic practices where touching is incidental; and
 - (2) Councillor Nunziata's motion be referred to the City Solicitor for report.
- E. Councillor Duguid moved that the practitioner's licence clearly state that they can only practice in a place of business licensed for that particular purpose.

Upon the question of the adoption of the foregoing motion A. by Councillor Balkissoon, it was carried.

The Committee also referred the foregoing motions B. to E. to the General Manager, Toronto Licensing Commission, in consultation with the City Solicitor, and requested staff to report back to the Committee on this issue in October 1998.

(General Manager, Toronto Licensing Commission; c. City Solicitor; Commissioner of Urban Planning and Development Services; Mr. Mario Paliska, Ontario Alliance of Concerned Traditional Citizens, Toronto; Ms. Maggie Mann, Member, Advisory Committee on Complementary Therapies, Toronto; Ms. Diane May, Member, Advisory Committee on Complementary Therapies, Mississauga - July 22, 1998)

(Clause No. 7(a) - Report No. 8)

90. New Toronto Police Service Crest.

The Emergency and Protective Services Committee had before it a report (June 10, 1998) from Councillor Norman Gardner, Chairman, Toronto Police Services Board, advising that the Toronto Police Services Board on May 21, 1998:

- (1) received the following recommendations contained in a report (May 8, 1998) from Councillor Norman Gardner, Chairman:
 - (a) the Board inform City Council of its decision on February 26, 1998 that the Board approved a new crest subject to any changes that may be incorporated once the new crest for the City of Toronto has been approved; and

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- (b) the Chief of Police provide a report to the Board that identifies how the new City of Toronto logo can be incorporated onto police equipment, letterhead etc.; and
- (2) directed that the foregoing report be forwarded to City Council for information.

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

(Councillor Norman Gardner, Chairman, Toronto Police Services Board; c. Commissioner of Works and Emergency Services - July 22, 1998)

(Clause No. 7(b) - Report No. 8)

91. Gun-Related Crime in the City of Toronto.

The Emergency and Protective Services Committee had before it a report (June 10, 1998) from Councillor Norman Gardner, Chairman, Toronto Police Services Board, forwarding a copy of a report (April 2, 1998) from the Chief of Police received by the Toronto Police Services Board on May 21, 1998 in response to a request from the Emergency and Protective Services Committee on February 10, 1998 for information on gun related crimes and strategies employed by the Toronto Police Service and other agencies in regard thereto.

On motion by Councillor Duguid, the Committee received the foregoing report for information and directed that a copy of said report be referred to the Task Force on Community Safety for its information,

(Task Force on Community Safety; c. Councillor Norman Gardner, Chairman, Toronto Police Services Board; Commissioner of Works and Emergency Services - July 22, 1998)

(Clause No. 7(c) - Report No. 8)

The Emergency and Protective Services Committee recessed at 11:10 a.m. and reconvened at 11:21 a.m. in the Council Chamber, Metro Hall, 55 John Street, Toronto.

Members Present:

Councillor Dennis Fotinos, Chair
Councillor Brian Ashton
Councillor Bas Balkissoon

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Councillor Milton Berger
Councillor Brad Duguid
Councillor Joanne Flint
Councillor Norman Gardner
Councillor Mario Giansante
Councillor Denzil Minnan-Wong
Councillor Frances Nunziata

Also Present:

Councillor Howard Moscoe, ex officio member, representing Toronto Licensing.

92. Proposal to Enact a By-law to Regulate and Control Panhandling and the Need for By-laws to Control Squeegee Kids.

The Emergency and Protective Services Committee had before it the following:

- (i) (June 15, 1998) Petition signed by seven Toronto Residents, in opposition to the enactment of by-laws to control begging; suggesting that, instead of enacting bylaws, the City provide support for adequate and appropriate places for shelter and food; and that consideration be given to providing transit passes to allow people to seek work and access medical and psychological care, if needed;
- (ii) (July 6, 1998) from Mr. Robert Saunderson, Chairman, Bloor-Yorkville Business Improvement Area, requesting that the Committee take urgent action to address the issue of homeless people and the issue of street people who have created a business from begging and panhandling; advising that as an initiative and to help those truly in need, his organization will undertake to meet with service agencies such as Covenant House to set up a collection system through their retail membership; and that he would be pleased to meet with the Committee to discuss initiatives that would resolve this situation;
- (iii) (July 3, 1998) from Mr. Sean P. Redmond and Mr. Michael Redmond, Redbros Enterprises, 5014 New Street, Suite 424, Burlington, Ontario, L7L 6E8, advising that they have spent the last two years researching a compromise to the squeegee problem and requesting that the following proffers be given consideration as a viable solution:

- (1) Licensing;

The practice of squeegeeing would fall under the complete control and responsibility of the Toronto Licensing Commission.

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- (2) Static Re-Usable “NO THANKS” Windshield Squeegee Sticker;

The purchase of the “NO THANKS” sticker be made by Toronto and made available to the general public.;

- (iv) (July 9, 1998) from the Commissioner of Community and Neighbourhood Services to be considered by the Community and Neighbourhood Services Committee on July 16, 1998, regarding diversion options for youth involved in the Squeegee Trade; and
- (v) (July 13, 1998) from the City Solicitor, recommending that that City Council adopt **EITHER** Recommendation (1) A and B **OR** Recommendation (2) and/or Recommendation (3) as follows:

- (1) A. No by-laws be enacted to regulate panhandling and squeegee activities within the City of Toronto until such time as the Province and/or the Federal government has provided the City and Police with the appropriate legislative authority to regulate these activities and effectively enforce such regulations; and
- B. That the City Solicitor and the Chief of Police be requested to report back to your Committee concerning the status of any Provincial or Federal initiatives in this area;

OR

- (2) If Council decides to enact a by-law to regulate panhandling activities within the City of Toronto, it authorize the City Solicitor to amend the by-laws of the former Metro and Area municipalities regulating highway obstructions to insert provisions in substantially the form attached as Appendix “A” to this report;

AND/OR

- (3) If Council decides to enact a by-law to regulate squeegee activities within the City of Toronto, it authorize the City Solicitor to amend the appropriate by-laws of the former Metro and Area municipalities regulating highway obstructions to insert provisions in substantially the form attached as Appendix "B" to this report.
- (4) That the appropriate City Officials be authorized and directed to take the necessary action to give effect to the above, including the introduction of any bills in Council.

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Staff presentations were made to the Committee by Albert Cohen, Solicitor, City of Toronto Legal Department and the Commissioner of Community and Neighbourhood Services.

The Emergency and Protective Services Committee recessed at 12:09 p.m. and reconvened at 12:37 p.m. in the Council Chamber, Metro Hall, 55 John Street, Toronto.

Members Present:

Councillor Dennis Fotinos, Chair
Councillor Brian Ashton
Councillor Bas Balkissoon
Councillor Milton Berger
Councillor Brad Duguid
Councillor Joanne Flint
Councillor Norman Gardner
Councillor Mario Giansante
Councillor Denzil Minnan-Wong
Councillor Frances Nunziata

Also Present:

Councillor Howard Moscoe, ex officio member, representing Toronto Licensing.

The following persons appeared before the Committee in connection with the foregoing matter:

- Mr. Alan Borovoy, General Counsel, Canadian Civil Liberties Association, Toronto;
- Mr. Gaétan Heroux, Ontario Coalition Against Poverty, Toronto;
- Ms. Sydney White, Toronto, who also filed a written submission with the Committee;
- Mr. Drew Sanders, Representing Lower Income Families, Toronto;
- Mr. Sean P. Redmond and Mr. Michael Redmond, Redbros Enterprises, Burlington;
- Ms. Audrey Fernie, Toronto;
- Ms. Denise Redwood, Old Cabbagetown BIA, Toronto;

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- Mr. Michael Comstock, St. Lawrence BIA, Toronto;
- Ms. Lisa McGee, Bloor Yorkville BIA, Toronto;
- Mr. John H. Feeley, Yonge-Bloor Business Association, Toronto;
- Ms. Cheryl White, Queen West Community Health Centre, Toronto;
- Pierre on behalf of Chris, who also filed a copy of his submission with the Committee;
- Raven, who also filed a copy of her submission with the Committee;
- Ms. Tara Darlow, Inner City Youth Link, Toronto;
- Colin;
- R.J.;
- Ms. Rebecca Houston, Beat the Street, Toronto;
- Mr. John Cuthbert, Toronto; and
- Deputy Police Chief Michael Boyd.

The following Members of Council appeared before the Committee in connection with the foregoing matter:

- Councillor Chris Korwin-Kuczynski, High Park;
- Councillor Jack Layton, Don River;
- Councillor Olivia Chow, Downtown; and
- Councillor Ila Bossons, Midtown.

A. Councillor Duguid moved that the Committee recommend to Council that:

Part 1

Recommendation No. (1) embodied in the report (July 13, 1998) from the City Solicitor be adopted subject to Part A thereof being amended by deleting all of the words after the word "activities" so that the amended Recommendation (1) reads as follows:

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- “(1) A. No by-laws be enacted to regulate panhandling and squeegee activities; and

Part 2

- B. That the City Solicitor and the Chief of Police be requested to report back to this Committee concerning the status of any Provincial or Federal initiatives in this area.”
- B. Councillor Balkissoon moved that the report (July 9, 1998) from the Commissioner of Community and Neighbourhood Services be received.
- C. Councillor Minnan-Wong moved that:
- (1) a by-law to regulate panhandling activities within the City of Toronto be enacted and that the City Solicitor be authorized to amend the by-law of the former Metro and area municipalities regulating highway obstructions to insert provisions in substantially the form attached as Appendix “A” to the foregoing report from the City Solicitor;
 - (2) a by-law to regulate squeegee activities within the City of Toronto be enacted and that the City Solicitor be authorized to amend the by-laws of the former Metro and area municipalities regulating highway obstructions to insert provisions in substantially the form attached as Appendix “B” to the foregoing report from the City Solicitor; and
 - (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the above, including the introduction of any bills in Council.
- D. Councillor Nunziata moved that Councillor Minnan-Wong’s motion be amended to provide that Council request the Province of Ontario to grant additional legislation to make the enforcement of these by-laws more effective.

Councillor Fotinos appointed Councillor Minnan-Wong Acting Chair and vacated the Chair.

- E. Councillor Fotinos moved that:
- (1) the Toronto Association of Business Improvement Areas, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief of Police be requested to work with some representatives of the squeegee kids and report back to the

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Emergency and Protective Services Committee with practical suggestions to regulate squeegee activities on our streets, such as designating locations for squeegee areas and/or times; and

- (2) the Province of Ontario be requested to enact legislation amending the Provincial Offences Act to authorize the police to arrest persons alleged to have contravened municipal regulations and that there be a statutory duty for a person to identify himself or herself to a police officer who is investigating an alleged by-law contravention.

Councillor Fotinos resumed the Chair.

A recorded vote on Part 1 of the foregoing motion A. by Councillor Duguid was as follows:

FOR: Ashton, Balkissoon, Berger, Duguid, Giansante, Moscoe

AGAINST: Flint, Fotinos, Minnan-Wong, Nunziata

ABSENT: Gardner, Holyday

Carried

Upon the question of the adoption of Part 2 of the foregoing motion A. by Councillor Duguid, it was carried unanimously.

Upon the question of the adoption of the foregoing motion B. by Councillor Balkissoon, it was carried.

The foregoing motions C. and D. by Councillor Minnan-Wong and Councillor Nunziata were declared by the Chair to be redundant.

Upon the question of the adoption of Part (1) of the foregoing motion E. by Councillor Fotinos, it was carried.

A recorded vote on Part (2) of the foregoing motion E. by Councillor Fotinos was as follows:

FOR: Fotinos, Minnan-Wong, Nunziata

AGAINST: Ashton, Balkissoon, Berger, Duguid, Flint, Giansante, Moscoe

ABSENT: Gardner, Holyday

Lost

93. Fire and Ambulance Facilities Study - Selection of Consultant.

The Emergency and Protective Services Committee reopened its consideration of the joint report (July 10, 1998) from the Commissioner of Works and Emergency Services and the Fire Chief, recommending that:

- (1) this report addressing the selection of KPMG Canada as the consultant for the Fire and Ambulance Facilities Study, be received for information; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Giansante,. the Committee received the foregoing report and requested the Commissioner of Works and Emergency Services and the Fire Chief to submit a further report to the Committee explaining why this contract was awarded to KPMG and how the points were determined.

(Commissioner of Works and Emergency Services; Fire Chief; c. Chief Administrative Officer - July 22, 1998)

(Clause No. 7(e) - Report No. 8)

(See Minute No. 84)

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The Committee adjourned its meeting at 3:42 p.m.

Chair