

**THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Emergency and Protective Services Committee**

**Tuesday, October 6, 1998.**

The Emergency and Protective Services Committee met on Tuesday, October 6, 1998, in Committee Room A, 2nd Floor, Metro Hall, 55 John Street, Toronto, commencing at 9:38 a.m.

Members Present:

Councillor Dennis Fotinos, Chair  
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 September 8 and 11, 1998, were confirmed.

**114. Land Acquisition for Toronto Police Service - 14 Division.**

The Emergency and Protective Services Committee had before it a report (August 28, 1998) from Councillor Norman Gardner, Chairman, Toronto Police Services Board, advising that the Toronto Police Services Board on August 27, 1998, received a report (July 7, 1998) from the Chief of Police advising that the Toronto Police Service has evaluated the TTC Lansdowne garage site as the potential new location for 14 Division; that the evaluation was not favourable primarily because of geographical location and site conditions, however, the Police Service has not yet ruled out its possible use; and that the City Real Estate has been asked to continue its search for possible sites for both 14 Division and 11 Division.

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

(Chair, Toronto Police Services Board; c. Commissioner of Works and Emergency Services; Commissioner of Corporate Services - October 9, 1998)

**(Clause No. 8(b) - Report No. 11)**

**115. Emergency Planning Procedures for Earthquakes - Pickering/Darlington Nuclear Generating Stations.**

The Emergency and Protective Services Committee had before it a communication (September 28, 1998) from Councillor Frances Nunziata, York Humber, forwarding a copy of her communication (September 28, 1998) addressed to Mayor Lastman requesting that a joint meeting of the Emergency and Protective Services Committee and the Strategic Policies and Priorities Committee be held to review emergency planning information that is available and the procedures that are in place to deal with situations such as earthquakes; and that information on the emergency planning procedures that have been coordinated between the City of Toronto and Ontario Hydro be shared with the Members of Council.

The Committee referred the foregoing communication to the Commissioner of Works and Emergency Services for a report thereon to the Committee.

(Commissioner of Works and Emergency Services; c. Councillor Frances Nunziata, York Humber - October 9, 1998)

**(Clause No. 8(d) - Report No. 11)**

**116. Amendments to the Criminal Code of Canada - Unlawful Avoidance of Police.**

The Emergency and Protective Services Committee had before it a communication (October 2, 1998) from Councillor Brad Duguid, Scarborough City Centre, submitting the following resolution:

“WHEREAS the flight from legitimate police interdiction by suspected criminal offenders has resulted in the tragic deaths of two innocent bystanders in Toronto in the past four months; and

WHEREAS the punitive provisions of the Provincial Highway Traffic Act do not reflect the gravity of the offence of unlawful avoidance of police (those being a minimum \$500 fine, to a maximum of a \$5,000 fine, or no more than 6 months in provincial jail, in addition to a maximum 3 year driver's licence suspension); and

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WHEREAS current penalties do not adequately reflect society's revulsion with the actions of fleeing suspects and the damage and death that can tragically result from such illegal flight;

THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto request the Federal Government, in the person of the Minister of Justice and Attorney General of Canada, to introduce legislation in the House of Commons to provide for applicable amendments to the Criminal Code of Canada, to give effect to an indictable offence provision, with attendant penalties, for unlawful vehicular flight from police during the lawful execution of their duties;

AND BE IT FURTHER RESOLVED THAT this Council endorse any measure undertaken by the Federal Government, in conjunction with Provincial authorities, police, and Municipal authorities, and in accordance with law and accepted practice, to reduce, and deter, unlawful flight from police;

AND BE IT FURTHER RESOLVED THAT a copy of this Motion be forwarded to the Ministers responsible for giving legal effect to this initiative, as well as to Members of Parliament and members of the Provincial Parliament from the City of Toronto.”

On motion by Councillor Duguid, the Committee recommended to Council the adoption of the foregoing resolution.

**(Clause No. 6 - Report No. 11)**

**117. City Centre Airport.**

The Emergency and Protective Services Committee had before it a communication (October 6, 1998) Councillor Blake Kinahan, Lakeshore-Queensway, recommending that the Chief of Police, the Fire Chief and the General Manager of Ambulance Services jointly report to the next meeting of the Urban Environment and Development Committee at which the Airport will again be considered on whether the City Centre Airport should be immediately closed down and remain so closed until a fixed link is in operation because of unacceptable safety concerns.

On motion by Councillor Moscoe, the Committee referred the foregoing communication to the Chief of Police, the Fire Chief and the Acting General Manager, Toronto Ambulance, for a joint report thereon to the next meeting of the Urban Environment and Development Committee at which the City Centre Airport issue will be considered.

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(Chief of Police; Fire Chief; Acting General Manager, Toronto Ambulance; c. Councillor Blake Kinahan, Lakeshore-Queensway; Commissioner of Works and Emergency Services Committee; Urban Environment and Development Committee - October 9, 1998)

**(Clause No. 8(f) - Report No. 11)**

**118. Requested Amendment to By-law No. 20-85 - Adult Entertainment Establishments - Stardust Lounge.**

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

- (a) (July 6, 1998) from Mr. Sam Reteja, requesting an amendment to By-law No. 20-85 to permit a new additional adult entertainment lounge on the lower level of the Stardust Lounge at 1780 Albion Road;
- (b) (July 13, 1998) from the General Manager, Toronto Licensing Commission, forwarding a copy of her letter (July 13, 1998) to Mr. Sam Reteja, Nooky's, advising that a by-law amendment is required to permit an additional lounge at this location; that the proposed operation does not conform with the current Licensing By-law; and that charges will be laid if this business is found to be operating;
- (c) (July 21, 1998) from Mr. A.J. Bickerton, Solicitor, forwarding a copy of his letter (July 20, 1998) to the General Manager, Toronto Licensing Commission, on behalf of the applicant, expressing his opinion on this proposal; and
- (d) (September 23, 1998) from the General Manager, Toronto Licensing Commission, reporting as requested by the Committee on September 8, 1998, with regard to the procedure for processing amendments to Licensing By-law No. 20-85 when dealing with such matters in the future and what the public consultation process should be.

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

- Mr. A.J. Bickerton, Solicitor, on behalf of the applicant;
- Mr. Stan Steiner, Taxicab Consulting Services, who filed a written submission with the Committee; and
- Mr. Andrew Reti, Toronto Taxicab Owners and Operators Association.

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- A. Councillor Duguid moved that:
- (1) the request by the Stardust Lounge for an amendment to By-law No. 20-85 be refused and that the communications submitted by the applicant in regard thereto be received; and
  - (2) the report (September 23, 1998) from the General Manager, Toronto Licensing, be received.
- B. Councillor Gardner moved that an exemption to By-law No. 20-85 be granted to the Stardust Lounge subject to the Licensing Commission verifying that the design and layout of the subject establishment complies with the intent of the By-law with regard to the possibility of touching between the performers and the audience.
- C. Councillor Moscoe moved that the procedures with respect to the business matters of the former Licensing Commission be carried forward to the Emergency and Protective Services Committee until such time as the final process for dealing with such matters is determined by Council.

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

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

Upon the question of the adoption of the foregoing motion C. by Councillor Moscoe, it was carried.

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Councillor Moscoe absented himself from the discussion on this matter insofar as it related to the issue of lap dancing as he is presiding over a hearing of the Toronto Licensing Tribunal to receive testimony in a case and did not vote on Part (1) of the foregoing motion A. by Councillor Duguid.

**(Clause No. 1 - Report No. 11)**

**119. Accident Towing - Mandatory Drop and Accreditation of Vehicle Repair Facilities.**

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

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- (a) (July 15, 1998) from the City Clerk advising that City Council, at its meeting held on July 8, 9 and 10, 1998, in adopting, as amended, Clause No. 1 contained in Report No. 6 of The Emergency and Protective Services Committee, headed "By-law to Amend By-law No. 20-85 - Accident Towing - Mandatory Drop and Accreditation of Vehicle Repair Facilities", directed, inter alia, that the following motion be referred to the Emergency and Protective Services Committee for consideration in September, 1998, and the City Solicitor and the General Manager, Toronto Licensing Commission, be requested to report thereon, in writing, to such meeting:

"Moved by Councillor Jakobek:

'That the foregoing Clause be amended by striking out the recommendation of the Emergency and Protective Services Committee and inserting in lieu thereof the following:

"It is recommended that:

- (1) Recommendations Nos. (1)(b), (c), (d), (2) and (4) embodied in the report dated May 15, 1998, from the General Manager, Toronto Licensing Commission, with respect to accreditation, be deferred to the meeting of Council scheduled to be held on October 1, 1998, and the Chair of the Emergency and Protective Services Committee be requested to meet with representatives of the Provincial Government to encourage swift passage of a Province-wide accreditation which would complement the City's plan;
- (2) the City Auditor be requested to submit the report, previously requested by Council with respect to accident reporting centres, to Council, through the Emergency and Protective Services Committee, no later than October 1, 1998;
- (3) staff be requested to submit a report, to the same meeting, on the possibility of establishing City-operated/independent reporting centres, as previously requested by Council;
- (4) the operators of the existing reporting centres be advised that City Council will not tolerate any solicitation of any resident by agents of insurance companies, auto body shops, car rental companies, tow trucks, or other businesses;
- (5) a self-help or 'what-to-do' pamphlet be produced and submitted to Council for approval, such pamphlet to provide guidance and advice

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to every person involved in an accident and distributed by the police, tow truck operators and reporting centres;

- (6) Recommendation No. (1)(a) embodied in the report dated May 15, 1998, from the General Manager, Toronto Licensing Commission, be deleted and the following inserted in lieu thereof:

‘that the mandatory drop be delayed until January 2000 and the City Solicitor be requested to submit a report on the legal authority to force all tow-truck operators to display or hand-out notices to the public which would advise the public that any recommendations of body shops or other businesses made by tow truck operators will result in the immediate suspension of their licence and a hearing before the Licencing Tribunal’;

- (7) City staff be requested to strictly enforce these rules at all collision reporting centres with all tow truck operators on a regular basis; and

- (8) Recommendation No. (3) embodied in the report dated May 15, 1998, from the General Manager, Toronto Licensing Commission, be adopted. ” ’ ”;

- (b) (August 18, 1998) from the City Solicitor reporting as requested by City Council on July 8, 9, 10, 1998 providing a legal opinion on the authority of City Council to require licensed tow truck operators to display or provide notices advising members of the public that the tow truck operator may not recommend body shops or other vehicle repair facilities and that such recommendations would result in an immediate suspension of the operator's licence and a hearing before the Licensing Tribunal; and recommending that if City Council decides to amend Schedule 37 to By-law No. 20-85 of the former Metropolitan Council to implement the proposed notice:

- (1) The notice be made consistent with subsection 40(3) of Schedule 37, by stating that:

- (a) the tow truck operator may not recommend a body shop or other vehicle repair facility unless requested to do so by the vehicle owner; or
- (b) by amending subsection 40(3) by deleting the clause therein which permits tow truck operators to make such recommendations at the request of the vehicle owner; and

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- (2) The notice be amended to state that a hearing will be held before the Licensing Tribunal to determine whether the licence should be suspended, revoked or have conditions placed on it;
- (c) (August 26, 1998) from the General Manager, Toronto Licensing Commission, recommending that:
  - (1) By-law No. 20-85, Schedule 37, Sub-section 40(3) be amended by deleting the clause “unless requested to do so by such person”; and
  - (2) Sub-section 40(3) would then read “No owner or driver shall suggest or recommend to any hirer or other person requesting his services that any vehicle in respect of which his services are given or requested, be towed, conveyed, driven or delivered to any particular salvage yard, body shop, storage yard, or any other public garage, building or place”;
- (d) (August 26, 1998) from the General Manager, Toronto Licensing Commission, providing the Committee with an update on the information currently available regarding a possible Provincial Accreditation Program for Collision Repair Facilities; and
- (e) (September 14, 1998) Mr. George Ching, requesting an opportunity to address the Committee with regard to the practices of the towing companies.

Mr. George Ching, Weston, appeared before the Emergency and Protective Services Committee in connection with the foregoing matter.

A. Councillor Moscoe moved that:

- (1) the City Solicitor, the General Manager, Toronto Licensing, and the Commissioner of Urban Planning and Development Services be requested to submit a report to the Emergency and Protective Services Committee on amendments to By-law No. 20-85 to prevent tow truck operators from collecting fees from cars towed under common law;
- (2) the Toronto Police Services Board be requested to:
  - (a) advise tow truck operators that if they charge patrons for the recovery of vehicles towed under common law, they are in danger of losing their contract with the Toronto Police Service; and



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- (b) lay charges against towing companies that collect fees contrary to the Nash decision;
  - (3) the following motion be referred to the Commissioner of Urban Planning and Development Services, in consultation with the City Solicitor, for a report thereon to the Emergency and Protective Services Committee:  
  
“That By-law Enforcement Officers be directed to lay charges against pounds collecting fees in excess of the amount set by By-law No. 20-85.”;
  - (4) the Commissioner of Urban Planning and Development Services be requested to ensure that the By-law Enforcement Officers allocate time to enforcing this issue;
  - (5) requested the General Manager, Toronto Licensing, to ensure that the signage at all pounds in Toronto conform with By-law No. 20-85;
  - (6) the City take immediate legal action against companies issuing phony parking tickets;
  - (7) the Chair of the Emergency and Protective Services Committee be requested to meet with staff of Toronto Licensing and to report back to the Committee on some proactive measures that can be taken to protect citizens from being charged illegal fees under the By-law and from being towed improperly; and
  - (8) the foregoing communication (July 15, 1998) from the City Clerk be received.
- B. Councillor Moscoe moved that the Committee recommend to Council the adoption of the report (August 26, 1998) from the General Manager, Toronto Licensing, recommending amendments to Sub-section 40(3), Schedule 37, of By-law No. 20-85, subject to the following:
- (a) that the notice simply read “The tow truck operator may not recommend a body shop or other vehicle repair facility - By-law No. 20-85.”;
  - (b) that By-law No. 20-85 also include guidelines for the display of signage, i.e. that it should be clearly visible and not be covered up; and

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- (c) that the City Solicitor, the Commissioner of Urban Planning and Development Services, and the General Manager, Toronto Licensing, be requested to meet with the Chair of the Emergency and Protective Services Committee and Councillor Moscoe, the Toronto Licensing representative on the Committee, to develop a revised waiver form consistent with the By-law.

Councillor Fotinos appointed Councillor Gardner Acting Chair and vacated the Chair.

C. Councillor Fotinos moved that:

- (1) the General Manager, Toronto Licensing, and the City Solicitor, in consultation with other appropriate officials, be requested to submit a report to the Emergency and Protective Services Committee on harmonizing towing by-laws across the new City of Toronto so that the by-laws of the former municipalities of East York, Etobicoke and Scarborough are brought into sync with the by-laws of the former Cities of North York, Toronto and York; and
- (2) the Parking Enforcement Unit of the Toronto Police Service be requested to establish a suggested protocol for towing companies and property owners to follow with respect to towing from private property and to submit a report thereon to the next meeting of the Emergency and Protective Services Committee to be held on November 3, 1998.

Councillor Fotinos resumed the Chair.

D. Councillor Duguid moved that Part (6) of the foregoing motion A. by Councillor Moscoe be referred to the City Solicitor for a report thereon to the next meeting of the Emergency and Protective Services Committee to be held on November 3, 1998

The vote on the foregoing motions was deferred to later in the meeting.

(See Minute No. 126)

Councillor Fotinos appointed Councillor Gardner Acting Chair and vacated the Chair.

**120. Holistic Practitioner Licensing Category.**

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The Emergency and Protective Services Committee had before it a report (September 21, 1998) General Manager, Toronto Licensing, recommending that:

I. By-law 20-85 be amended to acknowledge holistic service businesses by either establishing a new licensing categories for “holistic centre” owners, and “holistic practitioners”, (individuals administering therapy) and implement the following:

A. [note: A, B, and C are from the June 22, 1998 report from the Licensing Commission (Appendix 1), the italicized sections are revisions]:

Amend By-law 20-85, Section I, Definitions, to add a licence category for “holistic services/manual healing” defined as modalities used *as tools* for therapeutic and wellness purposes that involve *touch and manipulation, this would include, but is not limited to the following therapies:*

*Acupressure, Alexander Techniques, Biofield Therapeutics, Feldenkrais Method, Reflexology, Rolfing, Shiatsu, Therapeutic Touch, Trager Method and Zone Therapy;*

*This does not include Alternative Systems of Medical Practice, Bioelectromagnetic Applications, Diet/Nutrition/Lifestyle Changes, Herbal Medicine, Mind/Body Control, and Pharmacological/Biological Treatments and their associated therapies [as defined and listed in a scheme proposed by the Office of Alternative Medicine, U.S. Department of Health and Human Services (DHHS), Appendix 2], or body rub [as defined in the Municipal Act and By-law 20-85] and does not include medical or therapeutic treatment given by persons duly qualified under the laws of the Province of Ontario;*

B. 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:

1. Grant licences to currently active holistic practitioners during a *ninety (90) day grand parenting period*. Applicants will have *ninety (90) days* from the date of the passing of the By-law amendments to submit reasonable proof of business activity;

2. *Implement a criteria for qualifying as a holistic service practitioner by requiring that applicants file training certificates from programs recognized by other levels of government and/or meet other standards (set out in the by-law)*. Require that any practitioners wishing to obtain a municipal licence after the end of the *ninety-day period, show proof of meeting qualifying criteria*.

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3. Establish regulations requiring that holistic practitioners:
  - a. file proof of meeting qualifying criteria (as discussed in B(2));
  - b. be 18 years or older;
  - c. remain fully clothed;
  - d. provide services only to clients who are clothed or appropriately draped;
  - e. not be under the influence of drugs or alcohol;
  - f. display a licence (with photo identification) while providing service;
  - g. practice only in a place of business licensed for that purpose, which includes operating out of a home (where permitted by zoning regulations); and
  - h. not have contact with customers' genitals.

4. Establish regulations requiring that owners:
  - a. carry general business liability insurance of \$1,000,000.00;
  - b. file corporate documents;
  - c. record business and client transactions;
  - d. keep the premises clean;
  - e. keep the premises in good repair;
  - f. insure the premises have washroom access;
  - g. post the licence at work locations;
  - h. cite a licence number on all advertising;
  - i. close centres to all clients between 10:00 p.m. and 7:00 a.m.;
  - j. hire only licensed practitioners; and
  - k. keep a record of employees.

C. The licence fee be \$143.00 for every person who owns or operates a holistic services centre and \$143.00 for every practitioner. These fees will be reviewed after the regulations have been in effect for a period of time. A report will be presented to the Emergency and Protective Services Committee six months after the By-law amendment comes into effect. Renewal fees are to be determined;

or,

**exempting holistic services practitioners from the By-law as described below:**

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*Adopt the principles found in the Markham Body Rub Parlour By-law (Appendix 4). Holistic services are exempt. Practitioners must prove credentials only upon challenge from licensing body.*

- II. If A, B, and C are adopted, 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
- III. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

- Ms. Linda Caplan, Chair, Advisory Committee on Complementary Therapies, Toronto, who filed a copy of her written submission with the Committee;
- Ms. Diane May, Member, Advisory Committee on Complementary Therapies, Mississauga;

Councillor Fotinos resumed the Chair.

- Mr. Mario Paliska, Toronto;
- Ms. Maggie Mann, West Wind School of Aromatherapy, Toronto;
- Ms. Diane May on behalf of Janette Strong and Sandra Wagman, holistic practitioners, and filed a written submission with the Committee from Ms. Sandra Wagman; and
- Ms. Mary Jane Louth, Toronto.

Councillor Fotinos appointed Councillor Balkissoon Acting Chair and vacated the Chair.

A. Councillor Fotinos moved:

- (1) the Committee recommend to Council the adoption of Recommendations Nos. I A, B and C, II and III, embodied in the report (September 21, 1998) from the General Manager, Toronto Licensing; and
- (2) that the necessary Bill be introduced in Council to give effect thereto.

Councillor Fotinos resumed the Chair.

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- B. Councillor Flint moved that the foregoing motion A. by Councillor Fotinos be amended to provided that the report (September 21, 1998) from the General Manager, Toronto Licensing be amended by:
- (a) the deletion of the word “and/” from Recommendation No. I. B. 2.;
  - (b) the deletion of the word “customers” from Recommendation No. I. 3. (h); and
  - (c) the inclusion of a provision related to “incidental touching”.

Upon the question of the adoption of the foregoing motions A. and B., they were carried unanimously.

**(Clause No. 2 - Report No. 11)**

**121. Proposed Unarmed Constabulary in the City of Toronto.**

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

- (a) report (August 28, 1998) from Councillor Norman Gardner, Chairman, Toronto Police Services Board, advising that the Toronto Police Services Board on August 27, 1998:
  - (1) approved the establishment of a committee to review the issue of an unarmed traffic constabulary; and that the Committee will consist of representatives from the Toronto Police Services Board, the Toronto Police Service, the Ministry of Transportation, the Ministry of the Solicitor General, the Ministry of the Attorney General and City Legal; and
  - (2) referred the Chief's report (dated July 23, 1998) to the proposed committee as well as deferred consideration of the following motions to the above-noted committee:
    - “1. That the Board advise the Minister of Transportation that we do not support the proposed unarmed constabulary program.
    - 2. That the Chief prepare a report for the next meeting of the Board on the following issues:
      - (i) With an aggressive zero-tolerance 'Community Road Safety' enforcement campaign (red light runners, rolling stops at stop signs, speeding in residential neighbourhoods and school

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zones) what would be the estimated revenues that could be achieved?

- (ii) With the estimated revenues how many officers could be hired?
  - (iii) The possibility of establishing a 'Community Road Safety' enforcement unit?"; and
- (b) communication (October 5, 1998) from Councillor Michael Feldman, North York Spadina, requesting that the Emergency and Protective Services Committee instruct the Toronto Police Service to keep him personally informed as to the developments and findings of the newly struck committee.

Councillor Fotinos appointed Councillor Balkissoon Acting Chair and vacated the Chair.

- A. Councillor Fotinos moved that the foregoing communication be received; that the Chair of the Emergency and Protective Services be requested to meet with the Toronto Police Service on this issue; and that the Chair of the Toronto Police Services Board be requested to keep the Committee and Councillor Feldman informed on the action taken on this proposal.

Councillor Fotinos resumed the Chair.

- B. Councillor Flint moved that the foregoing report be deferred to the next meeting of the Committee to be held on November 3, 1998, to allow Councillor Feldman to be present when this matter is considered.

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

(Councillor Michael Feldman, North York Spadina; c. Chair, Toronto Police Services Board; Commissioner of Works and Emergency Services - October 9, 1998)

**(Clause No. 8(a) - Report No. 11)**

**122. Enactment of Bill C-68 - Gun Control Legislation.**

The Emergency and Protective Services Committee had before it a communication (September 24, 1998) from Councillor Frances Nunziata, York Humber, submitting the following resolution:

“Moved by: Councillor Frances Nunziata, York Humber

Seconded by: Councillor Dennis Fotinos, Davenport

WHEREAS the Ontario Government pledged during the last provincial election to make fighting crime a top priority, and has established a three person crime commission to develop a crime control strategy; and

WHEREAS any crime control strategy must recognize the importance of appropriate gun control legislation, which has been enacted by the Parliament of Canada in Bill C-68;

Recommendation 1:

THEREFORE BE IT RESOLVED THAT the City of Toronto Council formally request the Government of Ontario to withdraw from the constitutional challenge of Bill C-68;

Recommendation 2:

AND BE IT FURTHER RESOLVED THAT the City of Toronto Council request the Ontario Cabinet to rescind the regulations passed this summer, with no public hearings or review by the Ontario Legislature, which will lower the hunting age in Ontario from 15 to 12 years of age, thereby permitting the carrying of firearms by children who are still in elementary school;

Recommendation 3:

AND BE IT FURTHER RESOLVED THAT City Council express its support to Conservative MPP Jim Brown, who chairs the Ontario Government Crime Commission, for his statement that he is "horrified" by the regulatory lowering of the hunting age to 12 year olds, and request that his Commission also recommend this regulation be rescinded; and



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Recommendation 4:

AND BE IT FURTHER RESOLVED THAT this resolution be forwarded to all MPP's in the Greater Toronto Area and to the Association of Municipalities of Ontario for endorsement."

A. Councillor Gardner moved that the foregoing resolution be deferred and that copies of Bill C-68 be obtained.

Mr. John Duffy, Toronto, appeared before the Emergency and Protective Services Committee in connection with the foregoing matter.

B. Councillor Nunziata moved that the Committee recommend to Council the adoption of the foregoing resolution.

A recorded vote on the adoption of the foregoing motion A. by Councillor Gardner was as follows:

YEAS: Gardner

NAYS: Balkissoon, Berger, Duguid, Flint, Fotinos, Giansante, Nunziata

The foregoing motion was declared by the Chair to be lost.

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A recorded vote on the adoption of Recommendation 1 contained in the foregoing resolution moved in motion B. by Councillor Nunziata was as follows:

YEAS: Balkissoon, Duguid, Flint, Fotinos, Giansante, Nunziata

NAYS: Berger, Gardner

Carried

A recorded vote on the adoption of Recommendation 2 contained in the foregoing resolution moved in motion B. by Councillor Nunziata was as follows:

YEAS: Balkissoon, Berger, Duguid, Flint, Fotinos, Giansante, Nunziata

NAYS: Gardner

Carried

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A recorded vote on the adoption of Recommendation 3 contained in the foregoing resolution moved in motion B. by Councillor Nunziata was as follows:

YEAS: Balkissoon, Berger, Flint, Fotinos, Nunziata

NAYS: Duguid, Gardner, Giansante

Carried

A recorded vote on the adoption of Recommendation 4 contained in the foregoing resolution moved in motion B. by Councillor Nunziata was as follows:

YEAS: Balkissoon, Berger, Duguid, Flint, Fotinos, Giansante, Nunziata

NAYS: Gardner

Carried

**(Clause No. 5 - Report No. 11)**

**123. Hours of Operation of Body Shops.**

The Emergency and Protective Services Committee had before it a communication (September 10, 1998) from Councillor Betty Disero, Davenport, recommending that the City of Toronto Legal Department and Toronto Licensing Commission staff be directed to draft a by-law that would prohibit auto repair service centres and body shop garages, as a condition of their license, from performing any body work or vehicle repairs between the hours of 9:00 p.m. and 7:00 a.m., Monday to Friday and between 6:00 p.m. and 9:00 a.m., Saturday and Sunday; and that would prohibit auto repair service shops and body shop garage doors to be kept open during the hours of operation.

- A. Councillor Flint moved that the foregoing communication be referred to the City Solicitor and the General Manager, Toronto Licensing, for a report thereon to the next meeting of the Committee to be held on November 3, 1998, such report to include information on regulations governing working conditions for these establishments and the effect of this proposal on working conditions.
- B. Councillor Balkissoon moved that the foregoing report also include car washes in residential areas.

Upon the question of the adoption of the foregoing motions A. and B., they were carried.

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(General Manager, Toronto Licensing; City Solicitor; c. Councillor Betty Disero, Davenport; Councillor Frances Nunziata, York Humber; Commissioner of Urban Planning and Development Services; Albert Cohen, Solicitor - October 9, 1998)

**(Clause No. 8(c) - Report No. 11)**

**124. Quotation for the Provision of Services Related to the Inspections of Taxicabs, Livery Cabs Including Limousines and Driving School Vehicles.**

The Emergency and Protective Services Committee had before it a report (October 5, 1998) from the General Manager, Toronto Licensing, recommending that:

- (1) the City of Toronto enter into a contract with Reg Quinn Ltd. expiring April 30, 1999 for the mechanical inspection of taxicabs, livery vehicles and driving school vehicles;
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (3) the General Manager report back on further extending the contract including an amendment for the testing of exhaust emissions as part of the vehicle inspection process for the second check of 1999.

Councillor Fotinos appointed Councillor Balkissoon Acting Chair and vacated the Chair.

A. Councillor Fotinos moved that:

- (1) the Committee recommend to Council the adoption of the report (October 5, 1998) from the General Manager, Toronto Licensing; and
- (2) staff be requested report back to the Emergency and Protective Services Committee with regard to a new tender for the provision of mechanical inspections of taxicabs, livery vehicles and driving schools vehicles to take effect May 1, 1999.

B. Councillor Giansante moved that the tendering process and the necessary approvals required to finalize the award of such contract be completed by March 31, 1999.

C. Councillor Fotinos moved that the General Manager, Toronto Licensing, be requested to provide all members of the Committee with details on the process to be followed in connection with this tender call prior to calling tenders for this contract.

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Councillor Fotinos resumed the Chair.

Upon the question of the adoption of the foregoing motions A. to C., they were carried.

**(Clause No. 7 - Report No. 11)**

**125. Licence Fee Stabilization Reserve.**

The Emergency and Protective Services Committee had before it a communication (October 5, 1998) from the City Clerk advising that City Council on October 1 and 2, 1998, in adopting, as amended, Clause No. 2 of Report No. 9 of The Emergency and Protective Services Committee, headed "1999 Licence Fees", directed, in part, that the following motion be referred to the Emergency and Protective Services Committee for consideration at its next meeting scheduled to be held on October 6, 1998, with a request that the Committee report thereon to City Council at its next regular meeting scheduled to be held on October 28, 1998:

"Moved by Councillor Moscoe:

'It is recommended that a fee stabilization reserve be established and that a surcharge of 2 percent be added to each licence to kick-start the reserve, such reserve to be established in such a manner as to protect it from the Budget Committee.'"

- A. Councillor Gardner moved that the foregoing communication be received and that no action be taken in regard thereto.
- B. Councillor Duguid moved that the Commissioner of Urban Planning and Development Services and the General Manager, Toronto Licensing, be requested to consider bringing forward a proposal to garner further revenues from licensing in 1999.
- C. Councillor Giansante moved that a fee stabilization reserve be established and that a surcharge of 2 percent be added to each licence to kick-start the reserve, such reserve to be established in such a manner as to protect it from the Budget Committee.

Upon the question of the adoption of the foregoing motion C. by Councillor Giansante, it was lost.

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

Upon the question of the adoption of the foregoing motion A. by Councillor Gardner, it was carried, as amended.

**(Clause No. 8(e) - Report 11)**

**126. Accident Towing - Mandatory Drop and Accreditation of Vehicle Repair Facilities.**

The Emergency and Protective Services Committee resumed its consideration of the foregoing matter for the purpose of voting on the motions moved thereon.

- D. Councillor Giansante moved that the foregoing motion B.(a) by Councillor Moscoe be amended to provide that appropriate wording be included on the notice with regard to penalties for failure to comply with this provision of By-law No. 20-85.

Upon the question of the adoption of the foregoing motions A. to D., they were carried.

(Commissioner of Urban Planning and Development Services; General Manager, Toronto Licensing; City Solicitor; Chair, Toronto Police Services Board; Chair, Emergency and Protective Services Committee; Councillor Howard Moscoe; c. Councillor Tom Jakobek - October 16, 1998)

(See Minute No. 119)

**(Clause No. 4 - Report No. 11)**

**127. Proposal to Establish Additional Collision Reporting Centres (CRCs) in the City of Toronto.**

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

- (a) (September 23, 1998) from the Chief Administrative Officer, advising that the Collision Reporting Centres represent a collaborative partnership between the Police, the insurance industry and the CRC operator in the interest of all the participants and the public; that the existing CRCs are conveniently located, equipped to handle the mandatory drops, provide valuable services and have sufficient capacity to service the current volume of collisions; that the proposed CRCs will not result in any additional benefits to the City and cost about \$7.5 to \$9.0 million annually; that in addition, the proposed CRCs may jeopardize to financial viability of the existing

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CRC operations, resulting in incremental police expenditures of about \$2.8 million; and recommending that the City not consider establishing the three proposed CRCs at this time; and

- (b) Confidential report (August 11, 1998) from the City Solicitor respecting the liability for establishment of additional collision reporting centres.

On motion by Councillor Gardner, the Committee recommended to Council the adoption of the foregoing report (September 23, 1998) from the Chief Administrative Officer.

**(Clause No. 3 - Report No. 11)**

The Committee adjourned its meeting at 12:40 p.m.

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Chair.