



**PLANNING AND TRANSPORTATION COMMITTEE
AGENDA
MEETING No. 3**

Date of Meeting:	March 24, 2003	Enquiry:	Christine Archibald
Time:	9:30 a.m.		Committee Administrator
Location:	Committee Room 1		(416) 392-7039
	City Hall		carchiba@toronto.ca
	100 Queen Street West		

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act.

**Confirmation of Minutes of Meetings of January 13 and 28, 2003- available in Q:
Qry\2003\Standing\Planning\Minutes and on the City of Toronto's website**

Public Hearings: 10:00 a.m.

Items 1-8 are Public Hearings under the Municipal Act

1. Suggested Amendments to By-law 574-2000 Relative to Flat Rates for Taxicab Service

Amendment to Chapter 545 to allow taxicab brokerages to arrange for flat rate taxicab service for charge account customers only and to provide that taxicab drivers who service these flat rate calls are not paid less or significantly more than what the appropriate meter rate would be for the particular call.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee that:

- (1) By-law 574-2000 be amended to allow taxicab brokerages to arrange for flat rate taxicab service for charge account customers only and to provide that taxicab

drivers who service these flat rate calls are not paid less or significantly more than what the appropriate meter rate would be for the particular call;

- (2) the Commissioner of Urban Development Services obtain a written agreement from brokerages that they will notify all drivers in writing of the provisions of the by-law relating to flat rates, the wording of such agreement and notification to be agreed upon by the Chair and copies provided to the Licensing Sub-Committee;
- (3) the Commissioner of Urban Development Services be requested to report back to the Licensing Sub-Committee on flat rates for the disabled; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Public Hearing

2. Minimum Insurance Coverage for Taxicabs, Other Business and Vehicle Licence Categories

Amendment to Chapter 545 to increase the minimum required amount of liability insurance coverage for licensed taxicab owners and other business and vehicle licence categories including drive-self rental vehicles, driving schools, and tow trucks, to \$2,000,000.00 and to increase the minimum required amount of liability insurance coverage for other business and vehicle licence categories including Pedicabs, Refreshment Vehicles, Ice Cream Vendors, Horse-drawn Vehicles, Holistic Centres, Amusements - Exhibitions, Theatres, Music Halls, Roller Skating Rinks, etc., and Building Cleaners to \$1,000,000.00.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee the adoption of the following recommendations contained in the report (December 6, 2002) from the Commissioner, Urban Development Services:

- “(1) Section 545-149(A)(1), Article VIII, Chapter 545, Toronto Municipal Code, be amended to establish that the minimum liability insurance coverage for licensed taxicab owners be in the amount of \$2,000,000.00 in respect of each taxicab for which he or she holds a licence;
- (2) the relevant sections of the Toronto Municipal Code contained in Figure 1 attached, be amended (where applicable) from the existing amounts of liability insurance coverage contained in column 3 of Figure 1, to amounts outlined in column 5 of Figure 1;

- (3) the legislation require the increased insurance coverage be effective from the point of the next insurance policy renewal date following enactment of the legislation for each licence in respect of the vehicle/business for which a licence is held; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

Public Hearing

3. Development of a Formula to Determine the Number of Ambassador Taxi Licences to be Issued

Amendment to Chapter 545 to allow issuance of additional Ambassador taxi licences in 2003, 2004, and 2005, and Ambassador taxi training delivery.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee:

- (1) that the following 1998 Task Force predictor model set out in Table 3 of the report (August 16, 2002) from the Commissioner of Urban Development Services be used as the formula for the issuance of additional Ambassador taxicab licences:

Table 3
Plate Issuance Indicated by 1998 Task Force Model

	Predicted Change in Demand (%)	No. New Plates indicated by Model (Amb. Equiv.)	Total Plates Indicated by Model (Std. Equiv.)	Actual Ambassador Licence Issuance	Actual vs. Predicted
1998			3,480		
1999	3.30%	230	3,595	78	(152)
2000	1.67%	120	3,655	94	(26)
2001	3.59%	263	3,786	123	(140)
2002	2.14%	162	3,867	262	100
1998-2002	Avg. 2.67%	774		557	(217)
2003	2.67%	203	3,970		
2004	2.67%	208	4,077		
2005	2.67%	213	4,186		

- (2) that the communications (November 12, 2002 and August 7, 2002) from the Taxicab Advisory Committee be received; and

- (3) that the Commissioner of Urban Development Services be requested to review the taxi meter rates in the middle of each council term.

Public Hearing

4. Development of a Formula to Review Taxi Meter Rates for Possible Fare Increases

Amendment to Chapter 545 to increase taxi fares.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee:

- (1) That the following Proposal No. 2 contained in Table No. 3 of the overhead presentation given by Urban Development Services be adopted:

“Proposal No. 2 – Drop Fee \$2.75 - \$0.25 per .190 Kilometres

5 Kilometre Trip	10 Kilometre Trip	25 Kilometre Trip
\$9.00	\$15.50	\$34.50

Public Hearing

5. Amendment to Municipal Code, Chapter 545, Licensing, Relative to Ambassador Taxicab Owner's Licences

Amendment to Chapter 545 to deem that a driver on the driver's list has a pecuniary interest in his or her spouse's, or same sex partner's, owner's licence; and to establish that hours of operation for Ambassador Taxicabs be a minimum of 36 hours during any seven-day period.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 29, 2003, recommended to the Planning and Transportation Committee that:

- (1) Toronto Municipal Code Chapter 545, Licensing, be amended to include a provision deeming that a driver on the driver's list has a pecuniary interest in his or her spouse's, or same sex partner's, owner's licence;
- (2) Schedule 8 of By-law 574-2000 be amended to establish that hours of operation for Ambassador Taxicabs be a minimum of 36 hours during any seven-day period; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Public Hearing

6. Owner Attendance at Mechanical Inspections

Amendment to Chapter 545 to require taxicab owners to attend regularly scheduled inspections of their taxicabs unless unable to attend by reason of illness, injury or infirmity and a medical report and statutory declaration to that effect is filed. Where there are reasonable grounds to believe that a false declaration was filed, 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.

Report (December 11, 2002) from the City Solicitor responding to the request by the Planning and Transportation Committee for a further report on the feasibility of exempting taxicab owners from attending scheduled inspections of their taxicabs by reason of age and/or health, and on the feasibility of exempting spouses of taxicab owners who have never driven a taxicab, and recommending that the recommendations contained in the City Solicitor's reports dated July 5, 2000, August 8, 2000 and August 11, 2000 be adopted, namely, that:

- (1) if City Council wishes to require licensed taxicab owners to attend regularly scheduled inspections of their taxicabs, it is recommended that Article VIII of Chapter 545, Licensing, City of Toronto Municipal Code be amended by adding a provision, in the form of Appendix "A" hereto, requiring taxicab owners to attend regularly scheduled inspections of their taxicabs except where such owners are unable to attend by reason of illness, injury or infirmity;
- (2) 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 Article VIII of Chapter 545, Licensing, City of Toronto Municipal Code be further amended by requiring such owners to file with the Municipal Licensing and Standards Division, a medical report from a duly qualified medical practitioner;
- (3) if City Council wishes to have added assurance that all requests for exemptions are *bona fide*, it is recommended that:
 - (a) Article VIII of Chapter 545, Licensing, City of Toronto Municipal Code be further amended by requiring 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) Article VIII of Chapter 545, Licensing, City of Toronto Municipal Code be further amended by requiring 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; and

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

Public Hearing

7. Use of City Streets for Driving Instruction Purposes

Amendment to Chapter 545 to include a definition of the word "block", to allow up to two students in the vehicle while instruction is being given, to allow chaperones if requested by a student, and to prohibit licensed driving school instructors from operating in and around schools between the hours of 8:15 a.m. and 9:15 a.m. and 3:15 p.m. and 4:30 p.m., while a student is driving the vehicle.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee that:

- (1) the by-law be amended to include a definition of the word "block" to mean the part of a street that together with other streets on the same side of that street encloses a school or playground;
- (2) the by-law be amended to allow for up to two students in the vehicle while instruction is being given if the instruction is being given under the auspices of a Ministry of Transportation-approved beginner driver education course;
- (3) the by-law be amended to allow for chaperones in the vehicle while instruction is being given if requested by a student;
- (4) the by-law be amended to prohibit licensed driving school instructors from operating in and around schools between the hours of 8:15 a.m. and 9:15 a.m. and 3:15 p.m. and 4:30 p.m., while a student is driving the vehicle;
- (5) the City Clerk be directed to publish notice of the proposed by-law amendment and the Planning and Transportation Committee meeting at which it will be discussed in a newspaper of general circulation at least 14 days prior to the meeting; and that notice also be given in accordance with any notice by-law that may be in force at the time the notice is published;
- (6) the Commissioner of Urban Development Services be requested to report back to the Licensing Sub-Committee on the impact of the amendment in one year's time; and

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

Public Hearing

8. Recommendations of the Towing Industry Working Group

Amendment to Chapter 545 to increase tow rates on an interim basis.

Communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee advising that the Licensing Sub-Committee, at its meeting on January 16, 2003, recommended to the Planning and Transportation Committee:

- (1) on an interim basis:
- (a) that the amount charged for towing vehicle from private property be increased from \$75.00 to \$80.00;
 - (b) that the amount charged for towing from the scene of a motor vehicle accident be increased from \$130.00 to \$150.00;
 - (c) that the amount charged for towing from the scene of a motor vehicle accident from major highways be increased from \$150.00 to \$170.00,

subject to:

- (1) the establishment of an administrative policy that for the first and second complaint about overcharging in any given year, the tow operator or company shall be given the option of either refunding the entire towing fee or appearing before the Tribunal to determine the status of their licence;
- (2)
 - (a) the review of the standard form of the tow bill each year to ensure that the maximum price of a tow is printed in large type on the tow bill;
 - (b) the standard form of the tow bill being reviewed by the Licensing Sub-Committee;
 - (c) the tow bill clearly advising the consumer that he/she has the right to direct the tow to any location of his/her choice;
 - (d) the customer being presented with a copy of the tow bill;
 - (e) making it illegal under the Licensing By-law to present a tow bill, which has not been approved by the City's Municipal Licensing and Standards Division; and

- (f) the tow bill to include the phone number of the tow company and the telephone number of the City's Municipal Licensing and Standards Division.
- (2) that the following recommendation be referred to the Ontario Provincial Police for comment:
 - “the police officer who is directing a tow initialling the tow bills and including his badge number”;
- (3) that the Commissioner of Urban Development Services be requested to:
 - (a) review the towing rates in the middle of each term of Council;
 - (b) report on who polices the Queen Elizabeth Way, such response to also include comments from Toronto Police;
 - (c) report on what other jurisdictions are doing with respect to towing rates and the rationale for them;
- (4) the City Clerk be directed to publish notice of the proposed by-law amendment and the Planning and Transportation Committee meeting at which it will be discussed in a newspaper of general circulation at least 14 days prior to the meeting; and that notice also be given in accordance with any notice by-law that may be in force at the time the notice is published; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

8(a). Report (February 25, 2003) from the Commissioner, Urban Development Services:

- (1) reporting on discussions held with the ad hoc Towing Industry Working Group, with regard to the establishment of an interim tow rate increase;
- (2) providing information on tow regulations and rate comparisons with other jurisdictions; and
- (3) to ascertain who polices the Queen Elizabeth Way and consult with the Toronto Police Service; and

recommending that:

- (1) City of Toronto Municipal Code, Chapter 545, Article VI, Sections 545-102 (B)(1) and 545-103 (B)(1) & (2) be amended in order to implement an interim

increase to the fixed rates for tows from private property, accident scenes, and accident scenes on major highways according to the following table:

Towing From:	Current Tow Rates	Proposed Tow Rates
Private Property	\$ 75.00	\$ 80.00
Accident Scenes	\$ 130.00	\$ 150.00
Accident Scenes on Major Highways	\$ 150.00	\$ 170.00

- (2) the development of a policy/formulae by staff of the Municipal Licensing and Standards Division, take place in consultation with staff from Finance and the Towing Industry Working Group, for a full and comprehensive review of the costs, fees and charges for private property and accident scenes; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

9. 2:00 p.m. York Rapid Transit Plan

Note: Report from the Commissioner of Urban Development Services is not yet available and will be included on the supplementary agenda

10. Mr. Harold Fidani, Fima Development, 30 Boncer Drive

Communication (March 4, 2003) from Councillor Milczyn requesting the Planning and Transportation Committee to provide Mr .Harold Fidani, Fima Development with an opportunity to depute before the next meeting of the Planning and Transportation Committee and advising that Mr. Fidani has been charged additional fees for working without a permit under By-law 185-2002 and that whilst Mr. Fidani admits to working without benefit of a permit he believes that the administration fees in excess of \$29,000 are too high and provides reasons for what he believes are extenuating circumstances.

11. Charge Back of the Costs Involved in Licence Enforcement

Report (February 21, 2003) from the Commissioner, Urban Development Services reporting on the new amendments to the Municipal Act which permits municipalities to charge back the costs involved in licence enforcement, and recommending that this report be received for information.

12. Liquor and Business Licences - Revocation of Licences and Closure Orders

Report (February 13, 2003) from the Commissioner, Urban Development Services reporting on the ways and means of revoking liquor and/or business licences of establishments in which there are continuous violent occurrences, and recommending that:

- (1) staff investigate the introduction of thresholds applicable to the issuance of licences, and report to the Planning and Transportation Committee during the first quarter of 2004 with any appropriate recommendations for amendments to Chapter 545, Licensing, City of Toronto Municipal Code;
- (2) the Toronto Licensing Tribunal be requested to report to the April 28, 2003 meeting of the Planning and Transportation Committee on its activities for 2002 to better inform Committee and Council of licensing matters of general interest and/or those involving businesses operating in specific wards; and
- (3) the Toronto Licensing Tribunal report thereafter on a bi-annual basis in accordance with the provisions of Chapter 545, Licensing, City of Toronto Municipal Code.

13. Quality Assurance Procedures in the Building Division Responding to Recommendations of the Audit Committee in relation to Recommendation No. 2 of the Audit Committee Report No. 10, Urban Development Services Building Division Review

Report (February 24, 2003) from the Commissioner, Urban Development Services reporting on the adequacy of the Building Division's quality assurance procedures during the plan review process, the key steps taken to date to develop and implement new practices, training and procedures, and the functionality of the new IBMS reporting module, in response to Recommendation No. 2 of the Audit Committee's Report No. 10, Urban Development Services Building Division Review, which was adopted by City Council on December 4, 5 and 6, 2001. To reflect the focus of the Audit Committee's report, this report covers the plan review process only, and recommending that:

- (1) this report be received for information; and
- (2) a copy of this report be forwarded to the Audit Committee for their information.

14. Employment Survey Update

Report (February 27, 2003) from the Commissioner, Urban Development Services updating the Planning and Transportation Committee on the Employment Survey and recommending that Planning and Transportation Committee receive this report for information.

15. Strip Plazas (strip malls) with Right of Way Easements and the Enforcement of Property Maintenance and Property Standards By-laws

Report (March 10, 2003) from the City Solicitor commenting on right of way easements as they impact on the enforcement or property maintenance and property standards by-laws in strip plazas (also called "strip malls"), and recommending that this report be received for information.

16. Charges for Visitor Parking at Apartment Buildings

Communication (February 19, 2003) from the City Clerk advising that City Council, at its meeting held on February 4, 5 and 6, 2003, referred the following Motion to the Planning and Transportation Committee:

“Whereas the North York by-laws prohibit charges for visitor parking at apartment buildings; and

Whereas on December 2, 2002, parking operators within the rest of the City of Toronto began implementing a pay permit system which uses a ‘1-900’ number and/or a ‘pay and display’ system to charge people for visitor parking; and

Whereas since December 2, 2002, almost 150 residential buildings have implemented a charge for visitor parking; and

Whereas it will be necessary, in order to stem this epidemic, to extend the former North York zoning provisions to the balance of the City;

Now Therefore Be It Resolved That the Commissioner of Urban Development Services be directed to bring forward amendments that would prohibit charging for visitor parking, similar to the provision that exists currently in the former North York Zoning By-law, to the balance of the City;

And Be It Further Resolved That the owners of buildings who wish to charge for visitor parking be advised that they will be required to seek a zoning by-law amendment in order to qualify for same.”

17. Architecture Tourism Potential - All Wards

Communication (February 19, 2003) from the City Clerk advising that City Council, at its meeting on February 4, 5 and 6, 2003, in adopting, as amended, Clause No. 5 of Report No. 1 of the Planning and Transportation Committee, headed "Architecture Tourism Potential - All Wards", directed that the following recommendations be referred to the Planning and Transportation Committee for consideration:

"It is recommended that:

- (1) Council approve, in principle, the appointment of a City Architect; and
- (2) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the establishment of an architectural award for a public and a private sector development, on an annual basis."

18. Requirements for Organizations Receiving a Grant from More Than One City Grant Program

Communication (February 19, 2003) from the City Clerk advising that City Council, at its meeting on February 4, 5 and 6, 2003, in adopting, as amended, Clause No. 25 of Report No. 1 of The Policy and Finance Committee, headed "Requirements for Organizations Receiving a Grant from More Than One City Grant Program", forwarded this Clause to all Standing Committees for information.

19. Planning and Transportation Committee Reports Pending List for 2002

Communication (March 5, 2003) from the City Clerk, Planning and Transportation Committee advising that §27-123.C. of Council Procedures (Chapter 27 of the Municipal Code) directs the Secretary of each Standing Committee to report outstanding items to the committee on an annual basis, and attaching a list of outstanding items for the Planning and Transportation Committee for the period January to December 2002.

20. Environmentalists Plan Transportation (EPT) - Report Headed "Rapid Transit for Downtown Toronto: An Alternative to Rebuilding the Gardiner Expressway"

Communication (February 24, 2003) from the Committee Secretary, The Gardiner/Lake Shore Corridor Task Force, advising that the Gardiner/Lake Shore Corridor Task Force, at its meeting on January 9, 2003, recommended that the Planning and Transportation Committee request the appropriate City officials to review the Environmentalists Plan Transportation (EPT) proposal.

21. Toronto Police Service - Graffiti Eradication Program & Initiatives to Eradicate Graffiti in the City of Toronto

Report (March 6, 2003) from the Chairman, Toronto Police Services Board, responding to the Planning and Transportation Committee request for a report on initiatives established by the Toronto Police Services to eradicate graffiti in the City of Toronto - and recommending that the Planning and Transportation Committee receive this report.