

THE CITY OF TORONTO

Clerk's Division

Minutes of the Planning and Transportation Committee

Meeting No. 3

Monday, March 24, 2003

The Planning and Transportation Committee met on March 24, 2003, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:30 a.m.

Councillor	9:30 a.m.	2:00 p.m.
Councillor Gerry Altobello, Chair	X	X
Councillor Pam McConnell, Vice Chair	-	-
Councillor Lorenzo Berardinetti	X	X
Councillor Betty Disero	-	-
Councillor Joanne Flint	X	X
Councillor Peter Milczyn	X	X
Councillor Howard Moscoe	X	X
Councillor Kyle Rae	X	X

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act

None declared.

Confirmation of Minutes

On motion by Councillor Moscoe, the minutes of the meetings of the Planning and Transportation Committee held on January 13 and 28, 2003, were confirmed.

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

On motion by Councillor Moscoe the Committee agreed to hear deputants who wish to speak to items 1-6 (Minute No. 3.1 to 3.6) at the one time and decided that five minutes be given to speakers who wish to speak to one item and that if a speaker wishes an extension in order to address other matters then that will be granted. The Committee also requested that speakers advise which item or items they were speaking to.

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.

The Planning and Transportation Committee gave consideration to a 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.

The Planning and Transportation Committee also gave consideration to the following communications:

- communication (March 17, 2003) from Louis M. Seta, Toronto Fleet Drivers Association;

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- communication (March 18, 2003) from John McIntyre, Taxicab Benefits Association;
- communication (March 20, 2003) from Jim Bell, President, Toronto Taxicab Brokerage Association; and
- communication (undated) from Larry Labovitch, Kingsboro Taxi

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Larry Labovitch;
- Eugene Meikle;
- Ted Elliott;
- Jim Bell, obo Toronto Taxicab Brokerage Association;
- Robert Stewart;
- John McIntyre, Taxicab Benefits Association;
- Hubert Leach;
- Khan Walayai;
- Mahmoud Heydari;
- Mohammed Hakimzadah; and
- Sajid Mughal.

On motion by Councillor Moscoe, the Planning and Transportation Committee:

- (A) the following recommendations of the Licensing Sub-Committee be adopted and that authority be granted for the introduction of the necessary bill in Council to give effect thereto:

- “(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 people with disabilities;
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto"; and
- (B) the Commissioner of Urban Development Services be requested to monitor this amendment and report back to the Planning and Transportation Committee in 6 months on the degree to which it has been implemented.

(Clause No. 1, Report No. 4)

3.2 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.

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The Planning and Transportation Committee gave consideration to a 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.”

The Planning and Transportation Committee also had before it the following communications:

- (March 20, 2003) from Jim Bell, President, Toronto Taxicab Alliance;
- (March 24, 2003) from Peter Chapman, Toronto Owners’ Operators Services Ltd. (TOOS);
- (undated) from Mike Tranquada, President, Independent Cab Owners’ Co-operative Incorporated; and
- (March 24, 2003) from Adam Beeharry.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act, and the following persons appeared before the Planning and Transportation Committee:

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- Jim Bell, obo Toronto Taxicab Alliance;
- Robert Stewart;
- Adam Beeharry;
- Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- Robert Stewart, obo Peter Chapman, Toronto Owners Operators Services Ltd. (TOOS);
- Peter Chapman, Toronto Owners Operators Services Ltd. (TOOS); and
- Hubert Leach.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended the adoption of the following recommendations of the Licensing Sub-Committee:

- “(1) Section 545-149(A)(1), Article VIII, Chapter 545, Toronto Municipal Code, Licensing, 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 to the report (December 6, 2002) from the Commissioner of Urban Development Services, 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;
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto”; and

that authority be granted for the introduction of the necessary bill in Council to give effect thereto.

(Clause No. 2, Report No. 4)

3.3 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.

The Planning and Transportation Committee gave consideration to a 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.

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The Planning and Transportation Committee also had before it the following communications:

- (March 17, 2003) from Louis M. Seta, Toronto Fleet Drivers Association;
- (March 17, 2003) from Oliver Springer;
- (March 18, 2003) from Obaid Chaudry;
- (March 19, 2003) from John McIntyre, Taxicab Benefits Association;
- (March 21, 2003) from Alasdair Moore;
- (March 23, 2003) from Neil Beveridge;
- (March 24, 2003) from Eugene W. Meikle;
- (undated) from Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- (March 24, 2003) from Adam Beeharry;
- (undated) from Larry Labovitch, Kingsboro Taxi; and
- (March 20, 2003) from Mike Coward, Ontario Coalition Against Poverty.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Larry Labovitch;
- Eugene Meikle;
- Jim Bell, obo Toronto Taxicab Alliance;
- Robert Stewart;
- Adam Beeharry;
- Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- Robert Stewart, obo Peter Chapman, Toronto Owners Operators Services Ltd. (TOOS);
- Krishna Pillai;

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- Rahman Nizam;
- Bashir M. Husen;
- Gurmail Dhir;
- Doug Taylor, General Manager, East End Taxi;
- Alastair Moore;
- Jafar Mirsalari;
- Nouzouzpour Manoucher;
- John McIntyre, Taxicab Benefits Association;
- Hubert Leach;
- Wilma Walsh;
- Khan Walayai;
- Ikram Freed;
- Pasquale Villami;
- Ikram Freed, obo Mike Coward, Ontario Coalition Against Poverty;
- Kennedy Asiarfo-Adjei;
- Mahmoud Heydari;
- Abdul Ahaed Khandakar;
- Mohammed Hakimzadah;
- Anwarul Islam Jaigirdar;
- Ervin S. Shaw;
- Abu Turab;
- Hosein Behrouzi;
- Sajid Mughal;
- Steve Kuramitsos;
- Kuldip Singh;
- George White; and
- Orhan Ayburs.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that:

- (1) Municipal Code Chapter 545, Licensing, be amended to permit the 1998 Task Force predictor model set out in the following Table 3 "Plate Issuance Indicated by 1998 Task Force Model", as outlined in the report (August 16, 2002) from the Commissioner of Urban Development Services, to be used as the formula for the issuance of additional Ambassador taxicab licences:

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	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		

and that authority be granted for the introduction of the necessary bill in Council to give effect thereto;

Councillor Milczyn opposed motion (1).

- (2) the communications (November 12, 2002 and August 7, 2002) from the Taxicab Advisory Committee appended to the communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee, be received; and
- (3) the Commissioner of Urban Development Services be requested to:
 - (a) review the taxi meter rates in the middle of each council term; and
 - (b) report back to the Planning and Transportation Committee in six months on the effect of the fare increase as it relates to brokerage fees.
- (4) (On motion by Councillor Moscoe), requested the Commissioner of Urban Development Services to report to the Planning and Transportation Committee for its next meeting on April 28, 2003 on the delivery of the necessary Ambassador

Taxicab training course including the establishment of the appropriate fees to permit the issuance of the newly recommended additional Ambassador Taxicab Licenses; and

- (5) directed the City Clerk to publish notice of the proposed by-law amendment to Chapter 545, Licensing, of the Toronto Municipal Code required to establish the appropriate fees for the Ambassador Taxicab training course and the Planning and Transportation Committee meeting at which it will be discussed, and that notice be given in accordance with the Notice By-law.

(Clause No. 3, Report No. 4)

(Commissioner, Urban Development Services; cc: City Solicitor, Attn: Theresa Leach; Executive Director, Municipal Licensing and Standards Division)

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

Amendment to Chapter 545 to increase taxi fares.

The Planning and Transportation Committee gave consideration to a 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

The Planning and Transportation Committee also had before it the following communications:

- (March 17, 2003) from Louis M. Seta, Toronto Fleet Drivers Association;
- (March 19, 2003) from John McIntyre, Taxicab Benefits Association;

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- (March 20, 2003) from Jim Bell, President, Toronto Taxicab Alliance;
- (March 24, 2003) from Eugene Meikle;
- (undated) from Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- (March 24, 2003) from Adam Beeharry; and
- (undated) from Larry Labovitch, Kingsboro Taxi.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Larry Labovitch;
- Jim Bell, obo Toronto Taxicab Alliance;
- Robert Stewart;
- Adam Beeharry;
- Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- Doug Taylor, General Manager, East End Taxi
- John McIntyre, Taxicab Benefits Association;
- Khan Walayai;
- Ikram Freed;
- Hosein Behrouzi;
- Sajid Mughal;
- Steve Kuramitsos; and
- Kuldip Singh.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that Appendix "C" of the City of Toronto Municipal Code 545, Licensing, be amended in order to implement a taxi meter rate increase as outlined in the following proposal 2 as presented by the Commissioner of Urban Development Services to the Licensing Sub-Committee:

"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"

and that authority be granted for the introduction of the necessary bill in council to give effect thereto.

(Clause No. 4, Report No. 4)

3.5 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.

The Planning and Transportation Committee gave consideration to a 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.

The Planning and Transportation Committee also gave consideration to a communication (undated) from Larry Labovitch, Kingsboro Taxi

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Larry Labovitch;
- Robert Stewart; and
- Wilma Walsh.

On motion by Councillor Moscoe, the Planning and Transportation Committee:

- (1) recommended the adoption of the following recommendations of the Licensing Sub-Committee subject to amending Recommendation (2) by adding the words:

“unless specifically exempted on a short term basis due to vacation or illness which has been reported to the Toronto Licensing Tribunal within a two week period”

so as to read:

- (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 unless specifically exempted on a short term basis due to vacation or illness which has been reported to the Toronto Licensing Tribunal within a two week period;
- (3) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto; and

that authority be granted for the introduction of the necessary bill in Council to give effect thereto; and

- (2) requested the City Solicitor to report directly to City Council for its meeting on April 14, 2003 with appropriate amendments to Municipal Code 545, Licensing, in order to implement the following action taken by City Council at its meeting on November 25, 26 and 27, 1998 in its adoption, as amended, of Clause No. 1 of Report No. 13 of the Emergency and Protective Services Committee, titled “Final Report of the Task Force to Review the Taxi Industry”:

“That Recommendation (14(d)) of Appendix 1 of the report (November 25, 1998) from the Commissioner of Urban Development Services be amended by adding the following new paragraph:

“Standard licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately.” and

in conjunction with, and further to, taxi reforms relating to the control of leasing taxi plates and taxi vehicles, individually or in multiples, including appropriate controls, duties and obligations of designated agents who currently control and manage the use and distribution of plates largely on behalf of, or, to the benefit of the brokerage.

(City Solicitor; cc: Commissioner, Urban Development Services; Executive Director, Municipal Licensing and Standards Division)

(Clause No. 5, Report No. 4)

3.6 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.

The Planning and Transportation Committee gave consideration to a 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.

The Planning and Transportation Committee also had before it the following communications:

- (March 11, 2003) from Walter Kuz;
- (March 18, 2003) from Obaid Chaudry;
- (March 23, 2003) from Amir Kanji;
- (undated) from Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated;
- (March 24, 2003) from Adam Beeharry; and
- (March 24, 2003) from George H. Rust-D'Eye, WeirFoulds LLP.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Jim Bell, obo Toronto Taxicab Alliance;
- Robert Stewart;
- Adam Beeharry;

- Mike Tranquada, President, Independent Cab Owners' Co-operative Incorporated
- George Rust-D'Eye, WeirFoulds LLP, Barristers and Solicitors
- Hubert Leach; and
- Sajid Mughal.

On motion by Councillor Moscoe the Committee requested that it be recorded in the minutes that Robert Stewart had been provided with all the additional time he requested in order to complete his deputations.

On motion by Councillor Moscoe, the Planning and Transportation Committee deferred consideration of the report (December 11, 2002) from the City Solicitor until such time that the following amendment has been made to Municipal Code, 545, Licensing:

“Standard licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately.”

(City Solicitor; cc: Commissioner, Urban Development Services; Executive Director, Municipal Licensing and Standards Division; All Interested Persons - March 31, 2003)

(Clause No. 8(a), Report No. 4)

3.7 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.

The Planning and Transportation Committee gave consideration to a 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:

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- (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.

The Planning and Transportation Committee also had before it the following communications:

- (March 19, 2003) from Councillor Sherene Shaw supporting the initiative and the recommendations;
- (March 23, 2003) from Amir Kanji; and
- (March 20, 2003) from Joseph L.P. Singh, Instructor, Expert Drivers School.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Rocky Racktoo, Vice-President, Independent Driver Educator's Association (I.D.E.A.); and
- John G. Svenson, President, Driving School Association of Ontario.

On motion by Councillor Milczyn, the Planning and Transportation Committee deferred consideration of the communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee until such time that discussions have taken place with the Chair of the Licensing Sub-Committee.

(Commissioner of Urban Development Services; cc: Executive Director, Municipal Licensing and Standards Division; City Solicitor; Attn: Theresa Leach; All Interested Persons - March 31, 2003)

(Clause No. 8(b), Report No. 4)

3.8 Recommendations of the Towing Industry Working Group

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

The Planning and Transportation Committee gave consideration to a 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 initialing 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;

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- (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.

The Planning and Transportation Committee also had before it the following material:

- 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

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- (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.
- communication (March 20, 2003) from Councillor Bas Balkissoon supporting the Motion for an interim increase to Towing Fees as recommended by the Licensing Sub-Committee, and requesting that the Committee support the referral of all the conditions attached to the recommendation from the Sub-Committee to the newly formed Advisory Committee and staff;
 - communication (March 21, 2003) from Mark Yakabuski, Vice-President, Ontario, Insurance Bureau of Canada; and
 - communication (undated) from Terry Moore, Bear Towing.

The Planning and Transportation Committee held a public meeting on March 24, 2003 in accordance with the requirements of the Municipal Act and the following persons appeared before the Planning and Transportation Committee:

- Bill Vince, obo Allstate Insurance; and
- Frank Doyle.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that:

- (1) the recommendations of the Licensing Sub-Committee as contained in the communication (January 29, 2003) from the City Clerk, Licensing Sub-Committee be adopted;
- (2) S545-102B(3) of Chapter 545 Municipal Licensing, be amended to limit storage fees of vehicles to a maximum of \$20.00 per day or part thereof; and
- (3) that authority be granted for the introduction of the necessary bill in Council to give effect thereto.

(Clause No. 6, Report No. 4)

3.9 York Rapid Transit Plan (YRTP) and the Quick Start Program

The Planning and Transportation Committee gave consideration to a report (March 14, 2003) from the Chair, Strategic Transportation Planning Group reporting on the status of the various YRTP Environmental Assessment Studies, the Quick Start Program and concerns by the City of Toronto; expressing the advice of the Strategic Transportation Planning Group; advising that the composition of this strategic group includes the Chief Planner, City Planning Division; General Manager, Transportation Services Division, Works and Emergency Services; Chief General Manager, Toronto Transit Commission; CEO, GO Transit; and the President, Toronto Parking Authority; and recommending that:

- (1) Council endorse the position that the provision of adequate and predictable public funding for transit is essential to maintaining continued economic vitality and growth in both the City and the GTA;
- (2) Council recognize the importance of co-ordinating efforts to provide integrated, enhanced transit services that are customer-focussed in key cross-boundary corridors between York Region and the City;
- (3) Council endorse the concerns expressed in this report regarding the current co-ordination, analysis and timing of on-going studies and initiatives of enhanced transit services between York Region and the City;
- (4) Council instruct the key representatives of the City of Toronto, TTC, and GO Transit to meet with their York Region counterparts to resolve the issues raised in this report and determine how inter-agency consultation and study integration can proceed from this point onward;
- (5) the Commissioner of Urban Development Services report to Council on the progress and/or outcome of the discussion process referred to in recommendation 3 above at the earliest opportunity; and
- (6) copies of this report be forwarded to York Region Council, the TTC and GO Transit.

The Planning and Transportation Committee also had before it a communication (March 24, 2003) from Mary-Frances Turner, Executive Coordinator, York Rapid Transit Plan.

Richard Ducharme, Chief General Manager, Toronto Transit Commission gave a presentation to the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that:

- (1) the report (March 14, 2003) from the Chair, Strategic Transportation Planning Group be adopted;
- (2) the Mayor request the Premier of Ontario to publicly support the City of Toronto's request for Federal infrastructure funding for the TTC's 10 year capital needs, in accordance with the 1/3rd/1/3rd/1/3rd funding arrangement as proposed by former Ontario Premier Mike Harris in accordance with the City of Toronto's application for Canada Strategic Infrastructure Funding;
- (3) should the Premier of Ontario not support the Mayor's request as outlined in Recommendation (2), then the Premier be requested to commit the Province of Ontario to return to 75% funding for TTC capital; and
- (4) the Premier of Ontario be advised that the Quick Start Program as proposed by York Region is the least efficient way of facing the transit needs of York Region.

(Clause No. 7, Report No. 4)

3.10 Harold Fidani, Fima Development, 30 Boncer Drive

The Planning and Transportation Committee gave consideration to a 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.

Harold Fidani appeared before the Planning and Transportation Committee.

On motion by Councillor Milczyn, the Planning and Transportation Committee requested the Commissioner of Urban Development Services to report to the Planning and Transportation Committee for its meeting on June 3, 2003 on this matter, and include in her report information respecting stop work orders and administrative charges levied, as well as an explanation as to how the application was processed, any delays caused by the City and whether any consideration could be given to reducing administrative charges

(Commissioner of Urban Development Services; cc: Harold Fidani, Fima Developments - March 31, 2003)

(Clause No. 8(c), Report No. 4)

3.11 Charge Back of the Costs Involved in Licence Enforcement

The Planning and Transportation Committee gave consideration to a 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.

Robert Stewart appeared before the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee:

- (1) received the report (February 21, 2003) from the Commissioner of Urban Development Services for information.
- (2) requested the Commissioner of Urban Development Services to report back to the Planning and Transportation Committee during her consideration of the licensing fees for 2004 on:

- (a) utilizing the new amendments to the Municipal Act in order to enhance fairness for businesses that do not violate City of Toronto By-laws;
- (b) putting additional enforcement officers on the street;
- (c) preventing future fee increases.

(Commissioner of Urban Development Services; cc: City Solicitor, Attn: Theresa Leitch; Executive Director, Municipal Licensing and Standards Division; All Interested Persons - March 31, 2003)

(Clause No. 8(d), Report No. 4)

3.12 Liquor and Business Licences - Revocation of Licences and Closure Orders

The Planning and Transportation Committee gave consideration to a 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.

The Planning and Transportation Committee deferred consideration of the report (February 13, 2003) from the Commissioner of Urban Development Services to the Committee's next meeting on April 28, 2003.

(Commissioner of Urban Development Services; cc: Executive Director, Municipal Licensing and Standards Division - March 31, 2003)

(Clause No. 8(e), Report No. 4)

3.13 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

The Planning and Transportation Committee gave consideration to a 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (February 24, 2003) from the Commissioner of Urban Development Services for information and forwarded a copy of this report to the Audit Committee for its information.

(Audit Committee; cc: Commissioner of Urban Development Services - March 31, 2003)

(Clause No. 8(f), Report No. 4)

3.14 Employment Survey Update

The Planning and Transportation Committee gave consideration to a 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (February 27, 2003) from the Commissioner of Urban Development Services for information.

(Clause No. 8(g), Report No. 4)

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

The Planning and Transportation Committee gave consideration to a 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report (March 10, 2003) from the City Solicitor back to the City Solicitor with a request that she reviews the appropriate legislation and provide a further report with appropriate recommendations as to how the City can better enforce regulations in strip plazas.

(City Solicitor - March 31, 2003)

(Clause No. 8(h), Report No. 4)

3.16 Charges for Visitor Parking at Apartment Buildings

The Planning and Transportation Committee gave consideration to a 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."

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the communication (February 19, 2003) from the City Clerk to the Commissioner of Urban Development and the Toronto Police Service with a request that they report jointly to the Planning and Transportation Committee on the motion referred from City Council.

(Commissioner, Urban Development Services; cc: Julian Fantino, Chief of Police, Toronto Police Service - March 31, 2003)

(Clause No. 8(i), Report No. 4)

3.17 Architecture Tourism Potential - All Wards

The Planning and Transportation Committee gave consideration to a 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."

On motion by Councillor Milczyn, the Planning and Transportation Committee requested the Commissioner of Urban Development Services to report to the Planning and Transportation Committee on the establishment of an architectural award for a public and private sector development to be provided on an annual basis.

(Commissioner of Urban Development Services; cc: All interested Persons - March 31, 2003)

(Clause No. 8(j), Report No. 4)

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

The Planning and Transportation Committee gave consideration to a 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.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the communication (February 19, 2003) from the City Clerk for information.

(Clause No. 8(k), Report No. 4)

3.19 Planning and Transportation Committee Reports Pending List for 2002

The Planning and Transportation Committee gave consideration to a 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.

On motion by Councillor Altobello, the Planning and Transportation Committee:

- (1) received the Planning and Transportation Committee Reports Pending List for 2002 for information; and
- (2) requested that a special meeting of the committee be called to conduct a workshop on the future priorities of the Committee and that the Commissioner of Urban Development Services be requested to consult with the Chair, and with assistance from the Committee Administrator, arrange for such a meeting.

(Commissioner of Urban Development Services - March 31, 2003)

(Clause No. 8(l), Report No. 4)

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

The Planning and Transportation Committee gave consideration to a 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.

The Planning and Transportation Committee also had before it a submission (January 9, 2003), entitled "Proposal for a Rapid Transit Alternative to the Gardiner Expressway", from John Stillich and John Banka, Environmentalists Plan Transportation (EPT)

On motion by Councillor Rae, the Planning and Transportation Committee referred the communication (February 24, 2003) from the Committee Secretary, The Gardiner/Lake Shore Corridor Task Force and the further submission dated January 9, 2003 from John Stillich and John Banka, to the Commissioner of Urban Development Services with a request that she report to the Planning and Transportation Committee, as soon as possible, on the Environmentalists Plan Transportation (EPT) proposal attached to this communication.

(Commissioner of Urban Development Services - March 31, 2003)

Clause No. 8(m), Report No. 4)

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

The Planning and Transportation Committee gave consideration to a 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 recommended that the Planning and Transportation Committee receive this report.

On motion by Councillor Moscoe, the Planning and Transportation Committee received the report (March 6, 2003) from the Chairman, Toronto Police Services Board for information.

(Clause No. 8(n), Report No. 4)

The meeting adjourned at 6:05 p.m.