

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 4

Monday, April 25, 2005

The Planning and Transportation Committee met on Monday, April 25, 2005, in the Committee Room No. 1, City Hall, Toronto, commencing at 9:40 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:00 a.m. to 12:38 p.m.	2:10 p.m. to 5:05 p.m. (including in-camera session)
Councillor Gerry Altobello, Chair	X	X
Councillor John Filion		X
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn, Vice-Chair	X	X
Councillor Howard Moscoe	X	X
Councillor Cesar Palacio		
Councillor Bill Saundercook	X	X
Councillor Karen Stintz	X	X

On motion by Councillor Filion, the Planning and Transportation Committee confirmed the Minutes of its meeting held on March 7, 2005.

4-1 Licensing of Livery Vehicles in the City of Toronto

The Planning and Transportation Committee considered a report (April 1, 2005) from the Commissioner of Urban Development Services reporting on the results of consultation with representatives of the livery industry; and making recommendations to amend the Municipal Code relative to the licensing of livery vehicles in the City of Toronto.

Recommendations:

- (1) It is recommended that the Municipal Code be amended to:
 - (a) create a new category of business licence known as livery service company at a Class 15 fee level of \$320.00 for initial application and \$193.00 for renewal;
 - (b) require all owners of licensed livery cabs to register their vehicles with a livery service company and file documentation with the Municipal Licensing and Standards Division outlining the service level agreement entered into with the livery service company;
 - (c) require livery service companies, as a minimum licence requirement, to own or employ, under a service level agreement, at least one stretched vehicle for every two sedan vehicles up to a maximum of four sedan vehicles; and furthermore, require at least one other stretched vehicle to allow for up to six more sedan vehicles; and furthermore, require a third stretched vehicle to allow for any number of sedan vehicles required by the company to operate its business;
 - (d) remove the limit on the number of livery cab owner's licences that can be issued in the City;
 - (e) require all livery cab fares to be pre-arranged through a livery service company a minimum of fifteen (15) minutes prior to pick-up;
 - (f) require all livery cab drivers and owners who drive to keep an on-going, daily log of all requests for service and all completed trips, and produce this log upon request of Municipal Licensing and Standards staff;
 - (g) require livery service companies to keep records of all calls for service, to make the records available to Municipal Licensing and Standards staff upon request and to keep such records for a period of at least one year;
 - (h) prohibit livery cabs from "staging" on City streets within two hundred (200) metres of a hotel, theatre, or entertainment facility prior to fifteen minutes before a pre-arranged pick-up at that hotel, theatre, or entertainment facility;

- (i) require livery cabs to be inspected for mechanical fitness by the City's designated mechanic on a regularly scheduled basis at least twice annually;
 - (j) require livery cabs to display a sticker on the front windshield, supplied by the City of Toronto, indicating the vehicle has been inspected and properly registered as a livery vehicle;
 - (k) establish a minimum rate for service of \$60.00 per hour for the first two hours or part thereof;
 - (l) provide that all sedan vehicles be no older than five (5) years old and all stretched vehicles be no older than eight (8) years old;
 - (m) repeal the provisions of Article VIII, Subsection 545-152A, that deal with uniforms for livery drivers, and Subsection 545-152E(1), that deal with the use of direct-dial telephones in livery vehicles; and
 - (n) include a definition of stretched vehicle that establishes a minimum extension of 114 cm. (44 in.) to a regular-sized luxury vehicle, provides for a minimum of seven seats in the vehicle exclusive of the driver, and does not allow for the use of station wagons, pick-up trucks or buses; and establish minimum size measurements for luxury sedan vehicles in accordance with the manufacturer's specifications of rear hip room of 143.5 cm (56.5 in.) and rear leg room of 101.6 cm. (40 in.);
- (2) It is further recommended that staff:
- (a) develop a training programme for existing livery cab drivers, owners who drive, and new applicants, to be delivered by the Municipal Licensing and Standards Training Unit, and report back to the Planning and Transportation Committee on the costs and implementation issues relating to the delivery of this training programme; and
 - (b) continue consultation with representatives of the livery industry to recommend any further changes to the regulations. Topics for discussion should include, but not be limited to, a complete review of the provisions with an aim to creating a separate schedule in Chapter 545 of the Municipal Code for livery licences, the types of

Planning and Transportation Committee Minutes
Monday, April 25, 2005

vehicles that should be used as livery cabs, the training of livery cab drivers, and the relationship between livery vehicles licensed by the City and those licensed by the Airport Authority and the Province under the Public Vehicles Act;

- (3) it is further recommended that approval be given for the hiring of three new full-time enforcement officers co-incident with the timing of the implementation of this programme, to address enforcement pressures and service demands that divert resources from general enforcement, and that the 2005 Operating Budget submissions of Urban Development Services reflect this as well as offsetting revenues for the same period;
- (4) the City Solicitor be directed to prepare the necessary bill to amend Chapter 545, Licensing, of the Toronto Municipal Code, as required to give effect to the recommendations in this report; and
- (5) that City officials be authorized and directed to take the necessary action to give effect to the above recommendations.

The Planning and Transportation Committee held a public meeting on April 25, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to the Toronto Municipal Code Chapter 545, Licensing of Livery cabs, was posted on the City's web site for a minimum of four days.

Pam Coburn, Executive Director, Municipal Licensing and Standards, provided a presentation to the Planning and Transportation Committee regarding licensing of Livery Vehicles in the City of Toronto, and filed a copy of her presentation.

The following persons appeared before the Planning and Transportation Committee:

- John Nunziata, on behalf of Toronto Para Transit;
- Lloyd Pollock, Dignity Transportation, and filed a written submission;
- Michael Tranquada, President, Independent Cab Owners' Co-op, and filed a written submission;
- Robert E. Stewart, on behalf of various livery and limousine owners and operators;
- Ikram Freed;

Planning and Transportation Committee Minutes
Monday, April 25, 2005

- George Bartsiocas, Vice-President, Independent Taxi, and filed a written submission;
- Jim Bell, General Manager, Diamond Taxi Cab Association, who provided a power point presentation and filed a copy of his presentation;
- Larry Labovitch, Kingsboro Taxi, and filed a written submission;
- Behrouz Rezahi;
- Ahmet Gulkan;
- Jamshid Bagherzadeh;
- Louis Seta, and filed a written submission;
- Joe Ironi, President, Ontario Limousine Owners' Association;
- John McIntyre;
- Yoram Stein;
- Sajid Mughal;
- Craig McCutcheon, President, Rosedale Livery;
- Ernie Grzinic, General Manager, Crown Taxi;
- Hakimzadah Mohammed;
- Hubert Leach; and
- Baljit Sikand, and filed a written submission.

The Planning and Transportation Committee recommended:

- (I) that City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 1, 2005) from the Commissioner of Urban Development Services, subject to:

Planning and Transportation Committee Minutes
Monday, April 25, 2005

(i) amending Recommendation (1)(c) to read as follows:

“(c) require livery service companies, as a minimum licence requirement, to own or employ, under a service level agreement, at least one stretched vehicle for every two sedan vehicles up to a maximum of four sedan vehicles; and furthermore, require at least one other stretched vehicle to allow for up to six more sedan vehicles; and thereafter on a ratio of one to six;”

(ii) amending Recommendation (1)(e) by deleting the words and figure fifteen “(15) minutes” and replacing with “twenty (20) minutes” so that such Recommendation now reads as follows:

“(e) require all livery cab fares to be pre-arranged through a livery service company a minimum of twenty (20) minutes prior to pick-up”;

(iii) amending Recommendation (1)(f) to read as follows:

“(f) require all livery cab drivers and owners to keep an on-going, daily log of all requests for service and all completed trips, and produce this log upon request of Municipal Licensing and Standards staff, in a form prescribed by the Executive Director, Municipal Licensing and Standards, from time to time”;

Planning and Transportation Committee Minutes
Monday, April 25, 2005

(iv) amending Recommendation (1)(g) to read as follows:

“(g) require livery service companies to keep records of all calls for service, to make the records available to Municipal Licensing and Standards staff upon request and to keep such records for a period of at least one year, in a form prescribed by the Executive Director, Municipal Licensing and Standards, from time to time”;

(v) amending Recommendation (1)(h) to read as follows:

“(h) prohibit livery cabs from “staging” on City streets within two hundred (200) metres of a hotel, theatre, or entertainment facility prior to twenty minutes before a pre-arranged pick-up at that hotel, theatre, or entertainment facility;”;

(vi) amending Recommendation (1)(k) to read as follows:

“(k) establish a minimum rate for service of \$70.00 per hour for the first two hours or part thereof;”;
(Motions by Councillor Moscoe)

so that the recommendations now read as follows:

“(1) It is recommended that the Municipal Code be amended to:

(a) create a new category of business licence known as livery service company at a Class 15 fee level of \$320.00 for initial application and \$193.00 for renewal;

- (b) require all owners of licensed livery cabs to register their vehicles with a livery service company and file documentation with the Municipal Licensing and Standards Division outlining the service level agreement entered into with the livery service company;
- (c) require livery service companies, as a minimum licence requirement, to own or employ, under a service level agreement, at least one stretched vehicle for every two sedan vehicles up to a maximum of four sedan vehicles; and furthermore, require at least one other stretched vehicle to allow for up to six more sedan vehicles; and thereafter on a ratio of one to six;
- (d) remove the limit on the number of livery cab owner's licences that can be issued in the City;
- (e) require all livery cab fares to be pre-arranged through a livery service company a minimum of twenty (20) minutes prior to pick-up;
- (f) require all livery cab drivers and owners to keep an on-going, daily log of all requests for service and all completed trips, and produce this log upon request of Municipal Licensing and Standards staff, in a form prescribed by the Executive Director, Municipal Licensing and Standards, from time to time;
- (g) require livery service companies to keep records of all calls for service, to make the records available to Municipal Licensing and Standards staff upon request and to keep such records for a period of at least one year, in a form prescribed by the Executive Director of Municipal Licensing and Standards, from time to time;

- (h) prohibit livery cabs from “staging” on City streets within two hundred (200) metres of a hotel, theatre, or entertainment facility prior to twenty minutes before a pre-arranged pick-up at that hotel, theatre, or entertainment facility;
- (i) require livery cabs to be inspected for mechanical fitness by the City’s designated mechanic on a regularly scheduled basis at least twice annually;
- (j) require livery cabs to display a sticker on the front windshield, supplied by the City of Toronto, indicating the vehicle has been inspected and properly registered as a livery vehicle;
- (k) establish a minimum rate for service of \$70.00 per hour for the first two hours or part thereof;
- (l) provide that all sedan vehicles be no older than five (5) years old and all stretched vehicles be no older than eight (8) years old;
- (m) repeal the provisions of Article VIII, Subsection 545-152A, that deal with uniforms for livery drivers, and Subsection 545-152E(1), that deal with the use of direct-dial telephones in livery vehicles; and
- (n) include a definition of stretched vehicle that establishes a minimum extension of 114 cm. (44 in.) to a regular-sized luxury vehicle, provides for a minimum of seven seats in the vehicle exclusive of the driver, and does not allow for the use of station wagons, pick-up trucks or buses; and establish minimum size measurements for luxury sedan vehicles in accordance with the manufacturer’s specifications of rear hip room of 143.5 cm (56.5 in.) and rear leg room of 101.6 cm. (40 in.);

- (2) it is further recommended that staff:
 - (a) develop a training programme for existing livery cab drivers, owners who drive, and new applicants, to be delivered by the Municipal Licensing and Standards Training Unit, and report back to the Planning and Transportation Committee on the costs and implementation issues relating to the delivery of this training programme; and
 - (b) continue consultation with representatives of the livery industry to recommend any further changes to the regulations. Topics for discussion should include, but not be limited to, a complete review of the provisions with an aim to creating a separate schedule in Chapter 545 of the Municipal Code for livery licences, the types of vehicles that should be used as livery cabs, the training of livery cab drivers, and the relationship between livery vehicles licensed by the City and those licensed by the Airport Authority and the Province under the Public Vehicles Act;
- (3) it is further recommended that approval be given for the hiring of three new full-time enforcement officers co-incident with the timing of the implementation of this programme, to address enforcement pressures and service demands that divert resources from general enforcement, and that the 2005 Operating Budget submissions of Urban Development Services reflect this as well as offsetting revenues for the same period;
- (4) the City Solicitor be directed to prepare the necessary bill to amend Chapter 545, Licensing, of the Toronto Municipal Code, as required to give effect to the recommendations in this report; and
- (5) that City officials be authorized and directed to take the necessary action to give effect to the above recommendations;”

- (II) that the issue of luxury accessible vehicles be referred to the Executive Director, Municipal Licensing and Standards, for consultation with the transportation industry and user groups and report thereon to the Planning and Transportation Committee; **(Motion by Councillor Moscoe)**
- (III) that the Executive Director, Municipal Licensing and Standards be requested to report to the Planning and Transportation Committee on the estimated number of unlicensed limousines operating in Toronto and their effects on legitimate operators; and bring forward appropriate recommendations to address this problem, in consultation with industry stakeholders; **(Motion by Councillor Jenkins)** and
- (IV) that the following motion be referred to the proposed working group to study the issue of accessible transportation in the City of Toronto (recommended in the report (March 29, 2005) from the Commissioner of Urban Development Services, entitled “Accessible Taxicab Licences”): **(Motion by Councillor Moscoe)**

Moved by Councillor Milczyn:

“That the Executive Director, Municipal Licensing and Standards be requested to bring forward further draft amendments to the Livery Vehicle By-law that would allow for an additional class of Livery Licence for vehicles designed and built exclusively for the use of disabled passengers.”

The report, as amended, passed on the following Recorded Vote:

Yeas: Altobello, Jenkins, Milczyn, Moscoe, and Saundercook.

Nays: Stintz.

(Clause 1, Report 4)

4-2 Taxicab Driver Safety and Training

The Planning and Transportation Committee considered a report (April 11, 2005) from the Commissioner of Urban Development Services reporting on and making recommendations regarding Taxicab Driver Safety and Training Initiatives.

Recommendations:

- (1) With respect to Taxicab Driver Safety, it is recommended that:
 - (i) the Municipal Code be amended to provide that all taxicabs be equipped with a security camera;
 - (ii) the required cameras meet minimum technical standards as established by the Municipal Licensing and Standards Division and amended from time to time and in accordance with current technology; and
 - (iii) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (2) with respect to Taxicab Training, it is recommended that the Effective Driver Training Course and the Ambassador Taxicab Training Course remain as two separate courses.

The Planning and Transportation Committee also considered the following communications:

- (1) (April 21, 2005) from Gerry Manley; and
- (2) (March 25, 2005) from Louis Seta.

The Planning and Transportation Committee held a public meeting on April 25, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to the Toronto Municipal Code Chapter 545, respecting taxicab driver safety and training, was posted on the City's web site for a minimum of four days.

The following persons appeared before the Planning and Transportation Committee:

- Gerald Manley;
- Michael Tranquada, President, Independent Cab Owners' Co-op;

13
Planning and Transportation Committee Minutes
Monday, April 25, 2005

- Ikram Freed
- Jim Bell, General Manager, Diamond Taxi Cab Association, who provided a power point presentation and filed a copy of his presentation;
- Larry Labovitch, Kingsboro Taxi, and filed a written submission (see Item 1);
- Eugene Meikle, and filed a written submission;
- Baljit Sikand, and filed a written submission;
- Behrouz H-Khamseh; and
- Hakimzadda H. Mohammed, ABC Ambassadors.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Urban Development Services, subject to adding the following new Recommendation (1) (iv):

“(iv) the City’s taxi inspection program include an inspection of the camera system to ensure that it has been properly installed; meets the City’s minimum technical standards; and is in good working order”;

so that the Recommendations now read as follows:

- (1) with respect to Taxicab Driver Safety, it is recommended that:
 - (i) the Municipal Code be amended to provide that all taxicabs be equipped with a security camera;
 - (ii) the required cameras meet minimum technical standards as established by the Municipal Licensing and Standards Division and amended from time to time and in accordance with current technology; and

- (iii) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
 - (iv) the City's taxi inspection program include an inspection of the camera system to ensure that it has been properly installed; meets the City's minimum technical standards; and is in good working order; and
- (2) with respect to Taxicab Training, it is recommended that the Effective Driver Training Course and the Ambassador Taxicab Training Course remain as two separate courses.

(Clause 2, Report 4)

4-3 Regulation of Airport Taxicabs and Licensing of Hotels

The Planning and Transportation Committee considered the following report and communication:

-

- (1) (April 8, 2005) from the Commissioner of Urban Development Services responding to the letter from Mr. Gerald H. Manley addressed to Mayor Miller with respect to the regulation of airport taxicabs and the licensing of hotels.

Recommendation:

It is recommended that this report be received for information.

- (2) (Undated) from Andy Reti entitled "Summary of an Article pertaining to a Proposed Legislation by the Provincial Minister of Transport and a Section in the *Municipal Act* that deals with Pick-Up Rights of Airport Taxis in Toronto."

The following persons appeared before the Planning and Transportation Committee:

- Michael Tranquada, President, Independent Cab Owners' Co-op;
- Andy Reti;

Planning and Transportation Committee Minutes
Monday, April 25, 2005

- Ikram Freed;
- Larry Labovitch, Kingsboro Taxi, and filed a written submission (see Item 1);
- Gerald Manley;
- Baljit Sikand, and filed a written submission; and
- Hakimzadda H. Mohammed, ABC Ambassadors.

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

(A) recommended to Council that:

- (1) the City indicate its opposition to Bill 169 (An Act to Amend the Highway Traffic Act and to Amend and Repeal Various Other Statutes in Respect of Transportation-related Matters) as it pertains to “scooping” fares at the airport, unless it is amended to remove the exemption that permits airport licensed vehicles from “scooping” fares within the City of Toronto, and the Minister of Transportation and opposition critics be so advised;
- (2) the City establish a flat rate from each hotel to the airport and the by-law be amended accordingly; and this be done in consultation with the taxi industry;
- (3) the City erect, as close as possible to the pedestrian entrances of each hotel, a sign which indicates clearly, flat rates from the hotel to Pearson International Airport for taxis and limousines;
- (4) the signs be erected in consultation with the taxi and limousine industry;

- (5) as a condition of development for any new hotel, such signs be required to be erected on hotel property adjacent to all entrances and exits;
 - (6) the signs be maintained in good order and updated periodically to reflect changes in meter rates;
 - (7) the appropriate City officials be directed to take the necessary action to implement the foregoing Committee Recommendations;
 - (8) the report (April 8, 2005) from the Commissioner of Urban Development Services, entitled "Regulations of Airport Taxicabs and Licensing of Hotels" be received for information; and
- (B) referred the communication (Undated) from Mr. Andy Reti, entitled "Summary of an Article Pertaining to a Proposed Legislation by the Provincial Minister of Transportation, and a Section in the Municipal Act that Deals with Pick-up Rights of Airport Taxis in Toronto", to the City Working Group on the City of Toronto Act.

(Clause 3, Report 4)

4.4 Identification of Ambassador Taxicabs; Framework for Regulating Advertising on or in Taxicabs; and Advertising of Taxi Rates to Pearson International Airport

The Planning and Transportation Committee considered a report (April 11, 2005) from the Commissioner of Urban Development Services reporting on matters pertaining to the identification of Ambassador Taxicabs; to set out a Framework for Regulating Advertising on or in taxicabs and to report on Advertising of Taxi Rates to Pearson International Airport.

Recommendations:

- (1) with respect to the advertising of taxi rates to Pearson International Airport, it is recommended that the taxi tariff cards be changed to emphasize and increase the size of lettering to highlight the opportunity to negotiate a flat rate to the airport;
- (2) with respect to advertising on or in taxicabs, it is recommended that advertising proposals be assessed with regard to the following criteria: safety of the driver, passenger and general public; ensuring that external advertising is safely attached and does not extend beyond the dimensions of the vehicle, with the exception of rooftop signs which comply with existing specifications as currently administered by staff; and ensuring that advertising does not obscure markings and identifications required by the Municipal Code; and
- (3) furthermore, it is recommended that the Municipal Code be amended to introduce fees for the application process of \$500.00 per application and the appeal process of \$200.00 per appeal.

The Planning and Transportation Committee held a public meeting on April 25, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to the Toronto Municipal Code Chapter 441, Fees was posted on the City's web site for a minimum of four days.

The following persons appeared before the Planning and Transportation Committee:

- Michael Tranquada, President, Independent Cab Owners' Co-op;
- Ikram Freed;
- Jim Bell, General Manager, Diamond Taxi Cab Association, who provided a power point presentation and filed a copy of his presentation (see Item 1);
- Larry Labovitch, Kingsboro Taxi, and filed a written submission (see Item 1); and
- Hakimzadda H. Mohammed, ABC Ambassadors.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Urban Development Services.

(Clause 4, Report 4)

4-5 Accessible Taxicab Licences

The Planning and Transportation Committee considered a report (March 29, 2005) from the Commissioner of Urban Development Services recommending amendments to the Municipal Code to allow for the issuance of additional accessible taxicab owner's licences over the next three years in order to accommodate an increase in Toronto Transit Commission (TTC) Wheel-Trans service demands.

Recommendations:

It is recommended that:

- (1) the City of Toronto Municipal Code, Chapter 545, be amended to provide for the issuance of ten (10) additional accessible taxicab owner's licences in 2005 and an additional ten (10) licences in both 2006 and 2007; and
- (2) a "working group" be established with transportation providers, including industry stakeholders and TTC representatives, to study the issue of accessible transportation in the City of Toronto and the increased opportunity for on-demand service to persons with disabilities as a result of recent amendments to the Ontario Highway Traffic Act that provide for rear-entry accessible taxicab vehicles.

The Planning and Transportation Committee held a public meeting on April 25, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to the Toronto Municipal Code Chapter 545, Licensing was posted on the City's web site for a minimum of four days.

The following persons appeared before the Planning and Transportation Committee:

- Ikram Freed;
- Jim Bell, General Manager, Diamond Taxi Cab Association, who provided a power point presentation and filed a copy of his presentation (see Item 1);

Planning and Transportation Committee Minutes
Monday, April 25, 2005

- Marco Ferrara, President, Universal Motion, and filed photographs of an accessible van;
- Mohammed Hosseinioun;
- Behrouz Rezahi; and
- Hakimzadda H. Mohammed, ABC Ambassadors.

The Planning and Transportation Committee recommended that City Council:

- (1) adopt the staff recommendations contained in the Recommendations Section of the report (March 29, 2005) from the Commissioner of Urban Development Services, subject to amending Recommendation (2) to provide that Mr. Marco Ferrara, President, Universal Motion, be included as a member of the proposed Working Group; (**Motion by Councillor Saundercook**) and

Councillor Altobello appointed Councillor Moscoe Acting Chair and vacated the Chair.

- (2) adopt the following resolution:

WHEREAS concern has been expressed regarding the provision of service to clients of the Accessible taxi industry;

AND WHEREAS there are only basic service standards currently set out in the Licensing By-law as it pertains to Accessible taxi licences and operators;

AND WHEREAS more extensive service standards are in place in the TTC contracts which are used to administer the operation of licensed Accessible vehicles;

AND WHEREAS it would be advisable to move quickly in response to public concerns by including service standards in the Licensing By-law, providing that violations of those standards will become chargeable offences;

THEREFORE BE IT RESOLVED THAT staff, in consultation with the TTC, report to the Planning and Transportation Committee, within four months, on specific standards for the delivery of Accessible taxicab services for inclusion in Chapter 545, Licensing, Toronto Municipal Code, that assess and recommend appropriate improvements to the service standards currently within the WheelTrans contract in use with the Accessible taxicab industry, pending a more comprehensive review and any further recommendations which may be made by the Accessible Taxi Working Group. **(Motion by Councillor Altobello)**

Councillor Altobello resumed the Chair.

(Clause 5, Report 4)

4-6 Review Taxi By-law

The Planning and Transportation Committee considered a communication (March 31, 2005) from Councillor Howard Moscoe advising that Justice J. Low of the Superior Court of Justice, in a decision released on February 1, 2001, supported the application of the Toronto Taxi Alliance Inc., to strike down two by-laws which essentially limited taxi ownership to persons holding a valid taxi driver's license; and requesting that, in the event the City is unsuccessful in its appeal of the court decision, staff review the portions of Chapter 545, Licensing, pertaining to taxis to eliminate all provisions of the by-law that may be ultra vires of the City's powers under the Municipal Act, 2001; and submit a report to the Planning and Transportation Committee as soon as possible in the event that the City's appeal is unsuccessful.

The following persons appeared before the Planning and Transportation Committee:

- Michael Tranquada, President, Independent Cab Owners' Co-op; and

- Jim Bell, General Manager, Diamond Taxi Cab Association, who provided a power point presentation and filed a copy of his presentation (see Item 1).

The Planning and Transportation Committee referred the communication (March 31, 2005) from Councillor Howard Moscoe, to the Executive Director, Municipal Licensing and Standards, for report to the Planning and Transportation Committee as soon as possible in the event that the City's appeal respecting this matter is unsuccessful.

(Clause 10(a), Report 4)

4-7 Technical Amendments to the Business Licensing Fees

The Planning and Transportation Committee considered a report (April 12, 2005) from the Commissioner of Urban Development Services recommend a series of technical amendments that will clarify and ensure consistent implementation of the business licensing fees, which were before Council in June 2004 and which were assumed in the 2005 Budget. Specifically, the fees to which this report pertains are: Adult Entertainment Parlour Owner, Adult Entertainment Parlour Operator, Body Rub Parlour Owner, Body Rub Parlour Operator, and Accessible Taxicab Owner.

Recommendations:

It is recommended that:

- (1) the technical amendments outlined in Schedule B, be adopted; and
- (2) the City Solicitor be directed to prepare the necessary bill to amend Chapter 545, Licensing, and Chapter 441, Fees, both of the Toronto Municipal Code, as required to give effect to the recommendations in this report.

The Planning and Transportation Committee held a public meeting on April 25, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to the Toronto Municipal Code Chapter 545, Licensing and Toronto Municipal Code Chapter 441, Fees was posted on the City's web site for a minimum of four days.

The following persons appeared before the Planning and Transportation Committee:

- Tim Lambrinos, Executive Director, Adult Entertainment Association of Canada, and filed a written submission;
- Theresa Simone;
- Victor Saikaly;
- Gary Slavin; and
- Aleks Nikolovski.

On motion by Councillor Stintz, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 12, 2005) from the Commissioner of Urban Development Services; and further, that the Executive Director, Municipal Licensing and Standards, be requested to meet with individuals in the adult entertainment industry with respect to implementation of this matter.

(Clause 6, Report 4)

4-8 Proposed Public Uses in Hydro Corridors City-Wide

The Planning and Transportation Committee considered a report (March 30, 2005) from the Commissioner of Urban Development Services advising that following the transfer of hydro corridor lands from Hydro One to the Province in December 2002, municipalities were asked to identify any interests in use of the corridors (secondary uses) over the next 50 years and notify the Ministry of Municipal Affairs and Housing by June 1, 2005.

Recommendations:

It is recommended that:

- (1) the Ministry of Municipal Affairs and Housing accept Appendices 1 and 2 attached to this report as the City's submission to the Provincial Secondary Land Use Program for hydro corridors;

- (2) the Province of Ontario be requested to amend the Provincial Secondary Land Use Program guidelines and Public Use Principles for hydro corridors to:
 - (a) give priority to the City's planned public uses over private uses, licences or easements; and
 - (b) include a process to incorporate any future additions/revisions to the City's planned public uses in hydro corridors; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (March 30, 2005) from the Commissioner of Urban Development Services, subject to:

- (i) amending Map 32, referenced in Appendices 1 and 2 attached to the aforementioned report, to identify the Hydro Corridor lands between Burnhamthorpe Road and Dundas Street West as "Proposed Parkland" except for the proposed TTC commuter parking facilities; **(Motion by Councillor Milczyn)**
- (ii) adding the following:
 - (1) that Archaeological Sensitive Areas (ASAs) which compromise known sites and regions within the City that contain archaeological areas of particular significance and located within hydro corridors, be identified as parkland in Appendices 1 and 2 attached to the aforementioned report on proposed public uses in hydro corridors; and
 - (2) that any additional ASAs located in hydro corridors determined through the on-going work of the Archaeological Master Plan or archaeological assessment work, be identified as parkland in the future. **(Motions by Councillor Moscoe)**

(Clause 7, Report 4)**4-9 Graffiti Transformation Grants Program: 2005 Recommendations**

The Planning and Transportation Committee considered a report (March 30, 2005) from the Commissioner of Urban Development Services recommending grants to 20 organizations for the removal of graffiti and the transformation of vandalized surfaces into murals.

Recommendations:

It is recommended that:

- (1) the Graffiti Transformation Program grants be allocated to the community groups as outlined in Appendix "A" of this report;
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (3) Council deem these grants to be in the interest of the Municipality.

The Planning and Transportation Committee recommended:

- (A) that City Council adopt the staff recommendations contained in the Recommendations Section of the report (March 30, 2005) from the Commissioner of Urban Development Services; **(Motion by Councillor Moscoe)** and
- (B) requested the City Planner and Executive Director, City Planning, to submit a report directly to Council for its meeting scheduled to be held on May 17, 2005, respecting the possibility of the organizations known as "CAVE" and "Delisle Youth Services" being allocated a Graffiti Transformation Grant. **(Motion by Councillor Saundercook)**

(Clause 8, Report 4)**4-10 Proposed Settlement of Appeals to the New Official Plan 003011**

The Planning and Transportation Committee considered a confidential report (April 7, 2005) from the Commissioner of Urban Development Services and the City Solicitor regarding proposed settlements of appeals to the new Official Plan, such

report to be considered in-camera as the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (April 7, 2005) from the Commissioner of Urban Development Services and the City Solicitor, respecting Proposed Settlement of Appeals to the New Official Plan, which was forwarded to Members of Council under confidential cover; and further, that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject relates to litigation or potential litigation matters.

(Clause 9, Report 4)

4-11 Proposed Settlement of Appeals to the New Official Plan with the Urban Development Institute and the Greater Toronto Home Builders Association

The Planning and Transportation Committee considered a confidential report (April 6, 2005) from the Commissioner of Urban Development Services and the City Solicitor regarding proposed settlements of appeals to the new Official Plan with the Urban Development Institute and the Greater Toronto Home Builders Association, such report to be considered in-camera as the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

The Planning and Transportation Committee referred the confidential report (April 6, 2005) from the Commissioner of Urban Development Services and the City Solicitor, to the City Planner and Executive Director, City Planning; and issued confidential instructions with respect thereto, such instructions to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to litigation or potential litigation matters.

(Clause 10(b), Report 4)

4.12 Bill 169 – Amendment to the Planning Act

The Planning and Transportation Committee considered the following Resolution (April 23, 2005) from Councillor Howard Moscoe stating that:

WHEREAS Bill 169, 2005 currently before the Ontario Legislature amends subsection 51(25) of the Planning Act to permit municipalities to require the dedication of lands within a subdivision for “commuter parking lots, transit stations and related infrastructure”; and

WHEREAS it may be necessary to make provision for such facilities in future subdivisions in order to accommodate existing or future public transit facilities;

THEREFORE BE IT RESOLVED that this matter be referred to the Planning Department to work in consultation with the Legal Department and the Toronto Transit Commission and report on what amendments may be necessary to the City’s official plan and/or bylaws in order for the City to take full advantage of this amendment; and

BE IT FURTHER RESOLVED that the City conducts such studies and/or public hearings that may be necessary to give effect thereto as quickly as possible.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the resolution (April 23, 2005) by Councillor Howard Moscoe to the City Planner and Executive Director, City Planning, for report thereon, in consultation with the City Solicitor, and the Toronto Transit Commission, to the Planning and Transportation Committee.

(Clause 10(c), Report 4)

The Committee adjourned its meeting at 5:05 p.m.

Chair