

Re-examination of the Feasibility of Licensing Bicycle Couriers under the City of Toronto Act

Date:	March 5, 2007
To:	Licensing and Standards Committee
From:	Lenna Bradburn, Executive Director, Municipal Licensing and Standards
Wards:	All
Reference Number:	3014

SUMMARY

The purpose of this report is to re-examine the feasibility of licensing bicycle couriers after the adoption of the *City of Toronto Act, 2006*.

Under the *City of Toronto Act, 2006*, a municipality does not have the power to license a courier business, and/or owners or drivers of vehicles used for hire in a courier business, including bicycle couriers.

Financial Impact

The report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

The Works Committee, at its meeting on June 7, 2006, requested the Executive Director, Municipal Licensing and Standards Division, in consultation with the General Manager, Transportation Services, to report to the appropriate Committee on the feasibility of requiring professional bicycle couriers to be licensed, and to display a plate on their bicycles.

The Executive Director, Municipal Licensing and Standards Division, in a report dated August 15, 2006, reported to the Planning and Transportation Committee on the feasibility of requiring professional bicycle couriers to be licensed.

<http://www.toronto.ca/legdocs/2006/agendas/committees/plt/plt060905/it018.pdf>

Committee adopted the staff recommendation in the Recommendation Section of the report (August 15, 2006) from the Executive Director, Municipal Licensing and Standards, and requested that once the *City of Toronto Act* comes into force, the Executive Director, Municipal Licensing and Standards Division, in consultation with the City Solicitor, be instructed to re-examine the feasibility of licensing bicycle couriers and report thereon to the Licensing and Standards Committee in one year's time.

ISSUE BACKGROUND

Ontario Regulations Section 243, Subsection 2 of the *Municipal Act, 2001* states that a municipality does not have the power to “establish a registry for or to license, regulate or govern, (a) a courier business wherein parcels and documents are conveyed in vehicles used for hire, other than buses and cabs; or (b) the owners or drivers of vehicles used for hire in a courier business, other than buses and cabs for the conveyance of parcels and documents”. This includes the licensing of bicycle couriers.

The Planning and Transportation Committee, at its meeting on September 5, 2006, requested the Executive Director, Municipal Licensing and Standards Division, in consultation with the City Solicitor, to re-examine the feasibility of licensing bicycle couriers once the *City of Toronto Act* comes into effect.

COMMENTS

The prohibition related to licensing of couriers contained in *Ontario Regulations* Section 590, Subsection 6 of the *City of Toronto Act, 2006* is substantially the same as the prohibition contained in *Ontario Regulations* Section 243, Subsection 2 of the *Municipal Act, 2001*.

Subsection 1(1)(b) of *Ontario Regulation 590/06* under the *City of Toronto Act, 2006* states that the City does not have the power to “provide for a system of licenses with respect to (i) a courier business in which parcels and documents are conveyed in vehicles, other than buses and cabs, that are used for hire, or (ii) the owners or drivers of vehicles used in a courier business described in subclause.” This includes the licensing of bicycle couriers.

This report was prepared in consultation with Legal Services.

Conclusion:

Under the *City of Toronto Act, 2006*, a municipality does not have the power to license a courier business, and/or owners or drivers of vehicles used for hire in a courier business,

including bicycle couriers.

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SIGNATURE

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