



**STAFF REPORT
ACTION REQUIRED**

**Amendment to Toronto Municipal Code 545, Licensing,
Areas Where Driving Instructions Prohibited**

Date:	June 17, 2008
To:	Licensing and Standards Committee
From:	Jim Hart, Executive Director, Municipal Licensing and Standards
Wards:	44
Reference Number:	p:\2008\Cluster B\MLS\ls08007

SUMMARY

DriveTest, the provincially licensed operators of Ontario’s Driver Examination Centres, formerly managed by the Ontario Ministry of Transportation and now operated by Serco DES Inc. under a ten year licence agreement with Ministry, recently relocated a driver examination centre from Morningside Road and Highway 401 to 91 Rylander Blvd.

As a result of this relocation the current boundary of the area restricted for the provision of driving instruction found in the City of Toronto Municipal Code, Chapter 545, Licensing, which reads “...the area bounded on the north by Finch Avenue East, on the West by Neilson Road, on the south by Ellesmere Road, and on the east by Meadowvale Road...” no longer coincides with the current driver examination area. Therefore, an amendment to the City of Toronto Municipal Code, Chapter 545, Licensing, is being recommended to create a restricted area surrounding the new driver examination centre.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards, recommends that:

1. The Toronto Municipal Code, Chapter 545, Licensing, Section 545-15(5) be amended by repealing the words “on the north by Finch Avenue East, on the west by Neilson Road, on the south by Ellesmere Road, and on the east by Meadowvale Road” and replacing them with “on the west by Meadowvale Road, on the east by the Municipal Boundary, on the north by Finch Avenue East, and on the south by Lawrence Avenue East”; and

2. The City Solicitor be directed to prepare the necessary bill to give effect to the recommendation in this report.

Public notice has been given in a manner prescribed in the Toronto Municipal Code Chapter 162, Notice, Public.

Financial Impact

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

DECISION HISTORY

At the June 10, 2008 Scarborough Community Council meeting, Councillor Moeser brought forward a member motion regarding a drivers test centre being relocated to Ward 44 from Ward 42.

The Scarborough Community Council directed the General Manager of Transportation Services to report back to the Scarborough Community Council on the enforcement of parking regulations at Rylander Boulevard and Kingston Road (Highway 2) as it relates to the driving school, as soon as possible.

ISSUE BACKGROUND

Historically driving instructors have attempted to provide driving instruction to students on the same streets that these student drivers are taken on for their driving examination. Formerly the Municipality of Metropolitan Toronto and currently the City of Toronto have, by way of a by-law, created restricted areas surrounding driver examination centres to prevent licensed driving instructors from providing instruction to students around the centres in areas that the examiners are likely to be examining prospective drivers.

These restricted areas serve to reduce traffic from driving instructors giving instruction to student drivers while at the same time drivers are being examined prior to issuance of their provincial driver's licence and also reduces this traffic for residents of the area. Therefore, when a new driver examination centre is created or moves there is a need to create restricted areas that coincide with the location of the driver examination centre to maintain a balance between the host neighbourhood and the need to road-test applicants prior to the issuance of a provincial driver's licence.

COMMENTS

Ministry of Transportation staff, and now staff of DriveTest have expressed a strong need to maintain a restricted area surrounding any driver examination centre. The existence of a restricted area allows DriveTest staff to maintain a balance between the host neighbourhood and the need to road-test applicants prior to issuance of a provincial driver's licence. A restricted area benefits residents by precluding the normal influx of

driving school vehicles, yet serves the needs of the Ministry of Transportation respecting its need to road-test students in an area unfamiliar to them.

One such driver examination centre recently relocated from Morningside Drive and Highway 401 to 91 Rylander Boulevard, near Kingston Road and Port Union Road and therefore the current boundary prohibition of "...an area bounded on the north by Finch Avenue East, on the west by Neilson Road, on the south by Ellesmere Road and on the east by Meadowvale Road..." is no longer reflective of the affected area.

The proposed boundary amendment would prohibit instruction in an area bounded on the west by Meadowvale Road, on the east by the Municipal Boundary, on the north by Finch Avenue East, and on the south by Lawrence Avenue East (Appendix 1).

Staff consulted with the manager of the DriveTest examination centre and he fully supported the proposed amendment regarding the change in the boundaries of the proposed restricted area.

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SIGNATURE

Jim Hart, Executive Director
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Appendix 1: Driving Instruction Prohibition Area for the Driving Examination Centre located at 91 Rylander Blvd.