

Licensing and Standards Committee

Meeting No.	14	Contact	Dela Ting, Acting Administrator
Meeting Date	Friday, June 6, 2008	Phone	416-397-7769
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall		

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the Minutes for the official record.

How to Read the Decision Document:

- *Recommendations of the Committee to City Council appear after the item heading*
- *Any amendments by Committee to recommendations appearing in a staff report are italicized.*
- *Other action taken by the Committee on its own authority, which does not require Council's approval, is listed in the decision document under the heading "Decision Advice and Other Information".*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed – May 9, 2008

LS14.1	Presentation	Received		Wards: All
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Presentation - New Municipal Licensing and Standards Division Website

Decision Advice and Other Information

The Licensing and Standards Committee received for information and with thanks, the presentation from Lance Cumberbatch, Director, Investigation Services, on Municipal Licensing and Standards Division's Web Disclosure Sites on:

- Apartment Standards;
- Rooming Houses and Bachelorettes Monthly Posting; and
- Investigation Activity Status.

Summary

Staff Presentation on new Municipal Licensing and Standards Division website on Notices of Violations and Orders.

Background Information

Staff Presentation from Acting Executive Director, Municipal Licensing and Standards
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-13671.pdf>

(Deferred from May 9, 2008 - 2008.LS13.5)

LS14.2	ACTION	Received		Ward: 11
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2306 St. Clair Avenue West Remediation

(April 24, 2008) Report from City Solicitor

Decision Advice and Other Information

The Licensing and Standards Committee received for information the report (April 24, 2008) from the City Solicitor on 2306 St. Clair Avenue West Remediation.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Summary

This report provides information on the legal options currently available to the City to remediate the fire damaged property at 2306 St. Clair Avenue West (the “Property”). Based on the assessment by City Building staff that the Property is not currently unsafe, the City has no legal grounds at this time on which to issue any orders to remedy an unsafe condition at the Property based on violations of the Building Code Act.

Municipal Licensing and Standards intends to assess the condition of the Property in May and, if debris remains at the Property, it intends to issue a Notice of Violation for Waste to the Property owner to remove debris from the Property. Municipal Licensing and Standards staff have not issued any Property Standards orders to repair the Property at this time as this could jeopardize ongoing investigations regarding the fire and the interests of third parties with respect to the Property and equipment at the Property. This approach will be reassessed after the May inspection.

The legal title to the Property was reviewed and the City has no legal standing to order remediation of the Property based on the encumbrances currently registered on Title.

Background Information

Staff Report from City Solicitor
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-13285.pdf>

LS14.3	ACTION	Adopted		Wards: All
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Taxicab Fuel Surcharge and Fare Increase Proposals

Public Notice

(May 27, 2008) Report from Acting Executive Director, Municipal Licensing and Standards

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council amend the City of Toronto Municipal Code, Chapter 545, Licensing, to increase taxicab fares, as follows:
 - (i) increasing the initial taximeter drop rate by \$1.00 from \$3.00 to \$4.00; and
 - (ii) increasing in the per kilometre rate from \$0.25 per 0.170 kilometres (170 metres) to \$0.25 per 0.155 kilometres (155 metres);
2. *City Council require the new tariff card to include the "flat fare to the airport provisions" of the by-law and the owners be provided with multiple copies of the airport flat fee map, preferably on tear-off pads that can be handed to passengers;*
3. *City Council direct the Executive Director, Municipal Licensing and Standards, to review, in consultation with the industry and the disabled community, the rates charged for non-Wheel Trans rides and the results of that consultation be tabled at the Licensing and Standards Committee in four months; the format of that consultation to be approved by the Executive Director, Municipal Licensing and Standards, in consultation with the Chair and Vice-Chair of the Licensing and Standards Committee;*
4. *City Council amend the by-law to require brokerages to register their brokerage fees with Municipal Licensing and Standards Division so that they can be taken into consideration when setting meter rates; and*
5. City Council direct the City Solicitor to prepare the necessary bill to give effect to these recommendations.

Decision Advice and Other Information

The Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards:

1. to report directly to City Council, for its meeting on June 23, 2008, on the effect of increasing in the per kilometre rate from \$0.25 per 0.170 kilometres (170 metres) to \$0.30 per 0.190 kilometres (190 metres);
2. in reporting on a program for shifting all taxis and limousines operating in the City of

Toronto to low emission or hybrid technologies by 2015 or earlier, to include an analysis of the possible use of smaller vehicles as taxis or limousines within the City; and

3. to report to the Licensing and Standards Committee at such time as the Greater Toronto Airports Authority (GTAA) fares are adjusted.

Financial Impact

The recommended taxicab fare increase is intended to help offset the cost for taxicab drivers of rising fuel prices. The increase will result in fare increase to passengers in the order of 11.4 per cent to 17.5 per cent for trips of five kilometres and 20 kilometres, respectively.

The adoption of the recommended increase in taxicab fares will require ML&S to purchase approximately six thousand meter seals, at a cost of approximately \$2,000.00, in order to accommodate the taximeter testing and resealing task associated with any change to the taxicab fare. A new tariff card for each licensed taxicab will also need to be printed. These direct expenditures are provided for within the current operating budget, as a normal part of service delivery by the ML&S Licensing Enforcement Team.

The Toronto Transit Commission's Wheel-Trans operating costs for sedan service to the disabled community in Toronto will be impacted by the adoption of the recommended increase in taxicab fares. These impacts will result in expenditure increases of approximately \$350,000.00 in 2008 and approximately \$1,000,000.00 in 2009. The 2008 expenditures will be accommodated within the 2008 Council Approved Operating Budget for TTC-Wheel Trans. The 2009 annualized impact of the fee increase will be considered during the 2009 Budget process.

The Deputy City Manager and Chief Financial Officer have reviewed the recommendations and concur with the financial impact statement.

Summary

The purpose of this report is to make a recommendation for an increase in taxicab fares in the City of Toronto due to the unprecedented increase in gasoline prices and the resulting additional costs to and impact on the Toronto taxicab industry.

Background Information

Staff Report from Acting Executive Director, Municipal Licensing and Standards
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-13487.pdf>

Communications

(May 31, 2008) e-mail from Louis M. Seta, President Toronto Taxicab Industry Association (LS.New.LS14.3.1)

(June 2, 2008) letter from Jim Bell, President, Toronto Taxicab Alliance (LS.New.LS14.3.2)

(June 6, 2008) fax from Mike Tranquada, President, Independent Toronto Taxi Inc. (LS.New.LS14.3.3)

LS14.4	ACTION	Amended		Wards: All
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Taxicab Lease Agreements

Public Notice

(May 27, 2008) Report from Acting Executive Director, Municipal Licensing and Standards

Committee Recommendations

The Licensing and Standards Committee recommends to City Council that:

1. a Working Group, to include interested Councillors, staff and industry representatives, be established to review the existing licensing provisions related to taxicab leasing and to report back to the Licensing and Standards Committee in September, 2008 with recommendations for any necessary amendments to the City of Toronto Municipal Code, Chapter 545, Licensing;
2. *until such time as City Council has acted on the recommendations of the Working Group, the 45-day time limit by which a vehicle owner must register their vehicle in the event the lease of the plate is cancelled, is suspended;*
3. *the composition of the Working Group shall be determined by the Executive Director, Municipal Licensing and Standards, in consultation with the Chair and Vice-Chair, Licensing and Standards Committee;*
4. *the terms of reference of the Working Group shall be expanded to also review:*
 - (a) *the employment status of lessees and second drivers, particularly as it pertains to recent court decisions related to similar issues in Sault Ste Marie, Ontario; and*
 - (b) *other matters arising from the 1998 Taxi Reforms that have not yet been acted upon as it pertains to designated agents;*
5. *the Executive Director, Municipal Licensing and Standards be authorized to seek outside legal assistance on this matter at his discretion, if required; and*
6. *the City Solicitor be directed to prepare the necessary bill to give effect to these recommendations.*

Financial Impact

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

Summary

Members of the taxicab industry have raised concerns related to the regulations governing the

leasing for taxicabs contained in the Toronto Municipal Code Chapter 545, Licensing.

Therefore, it is proposed that a Working Group be established to further consult with the stakeholders, evaluate the existing licensing provisions, and if appropriate, recommend amendments to Chapter 545, Licensing, to address issues identified in the review. The proposed Working Group would include interested Councillors, staff and members of the industry and would report back to the Licensing and Standards Committee in September, 2008 with the results of its consultations and any recommendations it considered appropriate.

Background Information

Staff Report from Acting Executive Director, Municipal Licensing and Standards
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-13513.pdf>)

Communications

(May 31, 2008) e-mail from Louis M. Seta, President Toronto Taxicab Industry Association (LS.New.LS14.4.1)

LS14.5	ACTION	Referred		Wards: All
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Vehicle Branding and Continuous Registration of Vehicles in Ontario for Limousines

(June 6, 2008) Member Motion from Councillor Denzil Minnan-Wong, Ward 34 – Don Valley East

Decision Advice and Other Information

The Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards to:

1. report to its meeting on October 15, 2008 on possible amendments to Article XXXIX, Owners and Drivers of Limousines and Limousine Service Companies, to include standards and regulations related to vehicle branding and continuous registration of vehicles in Ontario, similar to those currently applicable to vehicles used as taxicabs; and
2. provide public notice of the meeting in a manner prescribed in the Toronto Municipal Code Chapter 162, Notice, Public.

Summary

Forwarding motion for consideration by the Licensing and Standards Committee.

Background Information

Member Motion from Councillor Denzil Minnan-Wong, Ward 34 – Don Valley East
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-13654.pdf>)

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-06-06	Morning	9:35 AM	11:25 AM	Public