
Licensing and Standards Committee

Meeting No.	23	Contact	Dela Ting, Acting Administrator
Meeting Date	Monday, September 21, 2009	Phone	416-397-7769
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Howard Moscoe

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Location	Committee Room 1, City Hall	Chair	Councillor Howard Moscoe

LS23.1	ACTION			Ward: All
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Review of Applications to be Included in the City's List of Approved Professional Holistic Associations

Public Notice

Committee Recommendations

The Licensing and Standards Committee recommends to City Council that:

1. The following holistic associations be included in the City of Toronto Municipal Code Chapter 545, Licensing, Appendix L, and that these associations be recognized as approved PHAs for the purposes of licensing holistic practitioners and owners:
 - a. Ontario College of Reflexology
 - b. National Certification Board for Natural Therapies
2. The City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report, effective immediately; and
3. All other appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Decision Advice and Other Information

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

Origin

(August 27, 2009) Report from Executive Director, Municipal Licensing and Standards

Summary

To recommend to the Licensing and Standards Committee additional Professional Holistic Associations (PHAs) that meet the City of Toronto's criteria with respect to the approval of PHAs for inclusion in the City of Toronto's Municipal Code Chapter 545, Licensing, Appendix L, as approved PHAs.

Staff received applications from the Ontario College of Reflexology and the National Certification Board for Natural Therapies. These associations were evaluated on three main criteria: (a) Governance; (b) Membership and Membership Services; and (c) Ethics and Discipline.

Based on the submitted applications, these associations meet the criteria required to be included in the City of Toronto's Municipal Code Chapter 545, Licensing, Appendix L, as approved PHAs.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23255.pdf>)

LS23.2	ACTION			Ward: All
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2009 Annual Review of Taxicab Fares

Public Notice

Committee Recommendations

The Licensing and Standards Committee recommends to City Council that:

1. No adjustment be made to taxicab fares for Toronto licensed taxicabs in 2009.

Decision Advice and Other Information

The Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards to report back to the Committee on the effect of the harmonized sales tax on the taxi industry for its November 5, 2009 meeting.

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

Origin

(September 1, 2009) Report from Executive Director, Municipal Licensing and Standards

Summary

The purpose of this report is to present the results of the annual review of taxicab fares, utilizing the most recent Statistics Canada Consumer Price Index for the Province of Ontario and applying it to the taxi cab fare calculation formulas for Toronto. Changes in fuel costs and in the cost of insurance to the Toronto taxicab industry have been given consideration in this report.

The taxicab fare calculation formulas used by the City of Toronto, for the period June, 2008 to date, suggests the cost of operating a taxicab in the City of Toronto has decreased by an average of 5.9 percent, as shown in Appendix "A" to this report. Given the continued volatility in fuel prices, this report does not recommend any change in Toronto's taxi cab fares at this time.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23256.pdf>)

Communications

(September 13, 2009) E-mail from Arvind-Kumar Aggarwal (LS.New.LS23.2.1)

Speakers

Mohammad Reza Hosseinioun, Spokesman, iTaxiworkers Association

LS23.3	ACTION			Ward: All
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Municipal Clearance for Liquor License Approvals**Committee Recommendations**

The Licensing and Standards Committee recommends that:

1. City Council advise the Alcohol and Gaming Commission of Ontario (AGCO) that the practice of granting conditional liquor license approvals prior to municipal clearance represents disrespect for City By-laws.
2. City Council request the AGCO to amend their procedures to request proof of municipal clearances prior to any hearing at the AGCO.
3. City Council advise the AGCO that municipal clearances include those for Zoning, Fire, Building, Health, Police and Business Licensing.
4. City Council advise the Minister of the Attorney General of this request and failing a positive response, the Minister of Municipal Affairs and Housing be requested to intervene by enacting a regulation under the City of Toronto Act; and

5. City Council request the Executive Director, Municipal Licensing and Standards to report back to the Licensing and Standards Committee on a protocol with respect to liquor licensing matters, including notification to all City Councillors.

Decision Advice and Other Information

Councillor Frances Nunziata addressed the Licensing and Standards Committee on this matter.

Origin

(August 11, 2009) Letter from Deputy Mayor Joe Pantalone, Ward 19 Trinity-Spadina

Summary

To request a staff report from the Executive Director, Municipal Licensing and Standards to address the new Alcohol and Gaming Commission of Ontario (AGCO) practice of granting a liquor licence before the applicant meets their municipal clearances.

Background Information

Letter from Deputy Mayor Joe Pantalone, Ward 19 Trinity-Spadina
(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23259.pdf>)

Communications

(September 14, 2009) Letter from Councillor A.A. (Adrian) Heaps, Ward 35 Scarborough Southwest (LS.New.LS23.3.1)

LS23.5	ACTION			Ward: All
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Recent Provincial Regulation Re Airport Exemption for Taxicabs and Implications for Court Applications to Quash By-law 1425-2007

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege (Confidential Attachment 1)

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council adopt Recommendations 1a., 2a. and 3. in Confidential Attachment 1 of the report (September 8, 2009) from the City Solicitor.
2. City Council protest the Province of Ontario's arbitrary regulation under the City of Toronto Act without consultation after consciously adopting the provisions in the City of Toronto Act that would permit the City of Toronto to license airport taxis and limousines.

3. City Council advise the Legislature of the Province of Ontario of its disappointment that the Minister of Municipal Affairs and Housing and the Premier of Ontario has acted in bad faith; and
4. City Council direct that the confidential attachment remain confidential indefinitely as it contains advice that is subject to solicitor-client privilege.

Origin

(September 8, 2009) Report from City Solicitor

Summary

This report outlines:

1. legal implications of the regulation passed by the Province of Ontario, O.Reg. 288/09, amending O.Reg. 590/06, filed on July 31, 2009; and
2. the current status of the litigation commenced by the Airport Taxi (Pearson Airport) Association and the Airport Limousine Operators Association (together the "Airport Taxi and Limo Associations"), who each commenced an application to quash By-law 1425-2007.

O.Reg. 288/09 states that by-laws passed by the City that require owners or drivers of taxicabs to have a licence issued by the City do not apply to taxicabs taking passengers to the Airport if they have a licence issued by the GTAA (the "Airport Exemption").

The language of O.Reg. 288/09 is essentially the same as section 156(3) of the *Municipal Act* which precludes municipalities from imposing licensing requirements upon airport-licensed taxicabs that take passengers to airports outside of the municipality in which the passengers are picked up.

The *City of Toronto Act*, 2006, S.O. 2006, c.11 ("*City of Toronto Act*") did not contain an Airport Exemption.

Prior to the enactment of By-law 1425-2007, however, there was an exemption in the *Municipal Code* that exempted limousines or taxis from the requirement to hold a licence issued by the City if they were picking up passengers in the City for transportation to an airport owned and operated by the federal government. The *Municipal Code* did not exempt taxis and limousines transporting passengers to Lester B. Pearson International Airport (the "Airport") from the City's licensing requirements because the Airport is not owned and operated by the federal government. The Airport is operated by the Greater Toronto Airport Authority ("GTAA").

The Airport Taxi and Limo Associations commenced court applications to quash By-law 1425-2007 and asking the Superior Court of Justice to declare that the City could not impose licensing requirements upon them.

The confidential attachment to this report contains legal advice from the City Solicitor with respect to the existing litigation relating to GTAA-licensed taxis and limousines and their regulation by the City.

Background Information

Staff Report from City Solicitor

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23293.pdf>)

Attachment 2 Ontario Regulation Made Under the City of Toronto Act, 2006, Amending O.Reg. 590/06 (Licensing Powers)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23295.pdf>)

Communications

(September 21, 2009) Letter from Andy Reti, Member, Exemption Committee (LS.New.LS23.5.1)

Speakers

Stephen Hozack

Andy Reti (Submission Filed)

5a Airport Taxis and Limousines - Amendment to Ontario Regulation 590/06

Origin

(August 26, 2009) Letter from Councillor Howard Moscoe, Ward 15 Eglinton-Lawrence

Summary

To request a briefing to members of the Licensing and Standards Committee on this matter.

Background Information

Letter from Councillor Howard Moscoe, Ward 15 Eglinton-Lawrence

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23292.pdf>)

Submitted Monday, September 21, 2009

Councillor Howard Moscoe, Chair, Licensing and Standards Committee