



Kingston Area Taxi Commission Meeting 10-2024 – Addendum

Wednesday, October 16, 2024, at 7:00 P.M.
in virtual electronic format hosted on Zoom and Facebook LIVE.

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Call Meeting to Order

Roll Call

Approval of Additions

Disclosure of Potential Pecuniary Interest

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Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery

Deferred Motions

Reports

Report Number 08: Received from the Chair (Recommend)

Report Number 08

To all members of the Kingston Area Taxi Commission:

The Chair reports and recommends as follows:

- 1. Taxi Stand Creation and Enforcement**
- 2. Unlicensed Taxi Drivers**

(Clause 1 and 2 to be deferred to the Standing Committee)

Information Reports



Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

1. Taxicab Standards – Tinted Windows and Decals

That staff be directed to report back to the Commission in Q4 2024 respecting Taxicab Standards, specifically the use of Tinted Windows and Decals.

2. Taxicab Inspections – Final Pre-Suspension of Taxi Plate Notice

That the Kingston Area Taxi Commission immediately serve final notice to Plateholders respecting the Taxicab Inspection requirement per carried motion.

“Plateholders who have not submitted their taxicab to the Commission’s Office for Inspection by end of business day on October 30, 2024, shall be deemed non-compliant and any Taxi Plates associated with said Plateholder will be suspended effective 12:01am on October 31, 2024.”

New Motions

Notices on Motions

1. Tariff Rates Review and Adjustments

Moved by: Commissioner Dowser

Seconded by: Commissioner Chapelle

That staff of the Kingston Area Taxi Commission begin reviewing the current Tariff Rates and propose adjustments through Stakeholder consultation where necessary, and that staff report back to the Commission in Q1 2025.

Minutes

That the Minutes of Kingston Area Taxi Commission Meeting 08-2024, held Wednesday, August 14, 2024, be confirmed.

(Distributed to all members of the Commission on August 19, 2024.)



Tabling Documents

Communications

Other Business

By-Laws

Adjournment



Kingston Area Taxi Commission

Report to Taxi Commission

Report Number: 24-008

To: Members of the Kingston Area Taxi Commission
From: Commissioner Dowser, Chair, Kingston Area Taxi Commission
Resource Staff: None
Date of Meeting: November 13, 2024
Subject: Taxicab Stand Creation and Enforcement
Unlicensed Taxi Drivers, Operators, and Vehicles

Commission Strategic Plan Alignment:

Theme: Administration and Enforcement

Goal: See above

Executive Summary:

This report provides for a summary for the following matters:

1. Taxicab Stand Creation and Enforcement
2. Unlicensed Taxi Drivers and Operators

Recommendation:

Taxicab Stand Creation and Enforcement

1. **That** the Kingston Area Taxi Commission amend By-law No.2 to include the heading "Taxi Stands",
2. **That** the Kingston Area Taxi Commission adopt Section 64 and subsequent subsections to By-law No.2 under the heading "Taxicab Stands" as follows:

Taxicab Stands

- 64 (a) The power to designate an area on private property as a Taxicab Stand is delegated to the Taxi Inspector.
- (b) At the request of a property owner the Taxi Inspector may set out and designate an area, on the private property, as a Taxicab Stand for the purposes of this By-law.



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- (c) The Taxi Inspector may remove the Taxicab Stand designation from an area on private property after which that area is no longer a Taxicab Stand for the purposes of this By-law.
 - (d) Taxicab Stands on public highways shall be designated under the City of Kingston Parking By-law No. 2010-128 and are set out at Schedule D1 “Taxi Stand Zones” of the by-law.
 - (e) A description and location of all Taxicab Stands will be set out in the Taxicab Stand List that will be placed for public viewing on the Kingston Area Taxi Commission’s official website and the Taxicab Stand List shall be regularly maintained and updated by the Taxi Inspector, or his/her delegate.
3. **That** the Kingston Area Taxi Commission amend By-law No.2, Schedule H “Fines Schedule” to include a set fine as follows:
- 10. Interference, hinderance, or otherwise misuse of a Taxi Stand _____ \$25.00
 - 11. Interference, hinderance, or otherwise misuse of an Accessible Taxi Stand ____ \$100.00
 - 12. Unauthorized use of a Taxi Stand _____ \$25.00
 - 13. Unauthorized use of an Accessible Taxi Stand _____ \$100.00
4. **That** the Kingston Area Taxi Commission submit recommendations to member municipalities to permit the designation, removal, and enforcement of Taxi Stands within the jurisdiction of the Kingston Area Taxi Commission.

Unlicensed Taxi Drivers, Operators, and Vehicles

5. **That** the Kingston Area Taxi Commission amend By-law No.2, Schedule H “Fines Schedule” to include the penalties and fines as set out in By-law No.2, Section 61.

Discussion:

Background

The matter of Taxi Stands, and their enforcement has been a topic for some time and continues to be a subject of discussion of the Commission and industry members.



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The matter was first introduced to the Commission in early 2023, whereas the growing frustration and conflict between industry members and private vehicle operators, prompted the Commission to direct staff to research and propose amendments to By-law No.2 specific to Taxi Stands.

The most common concerns of industry members are the consistent interference or hinderance of the use of taxi stands by unauthorised private vehicle operators, being those operating as TNC's and private citizens, the limited number of Taxi Stands to serve the public, and limited enforcement.

Through the research phase conducted by staff, it was discovered that By-law No.2 had not defined taxi stand in it's "Definitions" and no provisions set out respecting the subject of taxi stands.

During the general meeting 10-2023, held October 11, 2023, the Commission carried Motion 23-014 amending By-law No.2 to include "Definitions" pertaining to Taxi Stands and Taxi Stand Rules as illustrated in Exhibit D attached to this Report 24-008; and carried Motion 23-015 amending By-law No.2 to include provisions pertaining to Taxi Stand Rules as illustrated in Exhibit E attached to this Report 24-008.

Provisions respecting the designation, removal, and enforcement of taxi stands are absent from By-law No.2. Adopting provisions similar of those contained in the City of Mississauga PTC By-law 0420-2004, Schedule 8, as illustrated in Exhibit A to Report 24-008, encompasses all aspects of Taxi Stands.

The current Taxi Stand Zones as set out in the City of Kingston By-Law 2010-128, Schedule D1, as illustrated in Exhibit B to Report 24-008, were created in 2010 listing only seven (7) taxi stand zones that are localised to the downtown/university area. There are zero (0) taxi stands within Loyalist Township.

Since 2010 both member municipalities have grown significantly and the current taxi stand zones are limiting to today's transportation requirements and subsequently, are outdated.

Enforcement of taxi stand zones are carried out by By-law Officers of member municipalities where By-law operates on a complaint basis, whereas the Kingston Area Taxi Commission is proactive in matters of enforcement actions.

The authority to designate and enforce taxi stands is currently vested with the member municipalities, whereas Section 23.2 of the Municipal Act of Ontario authorises the delegation of legislative powers of minor nature to officers, employees, or agents of a municipality.

The designation and enforcement of Taxi Stands is classified as "of minor nature".



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The topic of unlicensed taxi drivers, operators, and vehicles, including private citizens operating private vehicles for hire is of a “housekeeping” measure. Whereas By-law No.2 and the City of Kingston TNC By-law 2022-6 do contain provisions respecting this matter, as illustrated by Exhibit C to Report 24-008.

However, there are no additions respecting this topic listed in By-law No.2, Schedule H, whereas through an act of housekeeping, the Kingston Area Taxi Commission should amend Schedule H to include the provisions and clauses of By-law No.2, Section 61, “Penalties”.

Analysis:

Taxi Operators are integral to a healthy, functional, and reliable transportation service that supports member municipalities and public citizens transportation requirements, including the responsibility of the safe transit of passengers while providing timely service.

As the member municipalities continue to grow in population and density, the demands upon transportation requirements by its citizens increases. Using properly designated taxi stands, Taxi Operators can find calm harbours to safely pickup or drop off passengers, await a fare, or to simply rest from the demands of the road. Taxi Stands serve to benefit all stakeholders.

The Kingston Area Taxi Commission is in good position to undertake the responsibilities of designating, removing, and enforcing Taxi Stands within its member municipalities boundaries; through proactive enforcement actions and through understanding of the industry requirements to better serve public citizens.

The recommended amendments would enable the Commission to immediately further protect the industry and its members from harm. Example: TNC’s that are unauthorised to use Taxi Stands will continue to contravene By-law No.2 where there is no monetary penalty, whereas upon amending the By-law to enable the issuance of penalties should rectify these contraventions.

Through housekeeping measures respecting unlicensed taxi drivers, operators, and vehicles, including private citizens operating private vehicles for hire; enables the Commission to engage in enforcement actions to private citizens operating private vehicles for hire, providing another layer of protection and safety for industry and public members.

The recommendations made in this Report 24-008 are presented to the Kingston Area Taxi Commission.



Kingston Area Taxi Commission
Report to Taxi Commission
Report Number: 24-008

Exhibit A to Report 24-008

City of Mississauga
PTC By-law 0420-2004
Schedule 8

TAXICAB STANDS

- 10 (1) The power to designate an area on private property as a Taxicab Stand is of a minor nature and is delegated to the Manager of Mobile Licensing for the Corporation.
- (2) At the request of a property owner the Manager of Mobile Licensing for the Corporation may set out and designate an area, on the private property, as a Taxicab Stand for the purposes of this By-law.
- (3) The Manager of Mobile Licensing for the Corporation may remove the Taxicab Stand designation from an area on private property after which that area is no longer a Taxicab Stand for the purposes of this By-law.
- (4) Taxicab Stands on public highways shall be designated under the Traffic By-law No. 555-00 and are set out at Schedule 23 of the by-law.
- (5) A description and location of all Taxicab Stands will be set out in the Taxicab Stand List that will be placed for public viewing on the Corporation's official website and the Taxicab Stand List shall be regularly maintained and updated by the Manager of Mobile Licensing, or his/her delegate.



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Exhibit B to Report 24-008

**City of Kingston
Parking By-law 2010-128
Schedule D1**

TAXI STAND ZONES

Street	Side	From	Days	Hours
Ontario Street	West	11.9 Metres North of Market Street to 30.8 Metres North of Market Street	Daily	10:00 pm to 3:00 am
Ontario Street	West	14.2 Metres South of Brock Street to 56.4 Metres North of Market Street	Daily	10:00 pm to 3:00 am
Princess Street	South	48 metres east of Alfred Street to 80 metres east of Alfred Street	Daily	10:00 pm to 3:00 am
Princess Street	North	17.5 metres east of Division Street easterly 12.8 metres	Daily	10:00 pm to 3:00 am
Princess Street	South	31 metres east of Division Street easterly 24 metres	Daily	10:00 pm to 3:00 am
Princess Street	South	16.5 metres west of Barrie Street to 54.4 metres west of Barrie Street	Daily	10:00 pm to 3:00 am
Queen Street	South	68 metres east of Wellington Street easterly to King Street	Daily	Only during events



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Exhibit C to Report 24.008

Kingston Area Taxi Commission
By-law No.2
Section 61

PENALTY

Fine - for contravention

61(1) Every Person who contravenes any provision of this By-law, and every director or officer of a Corporation who concurs in such contravention by the Corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00.

Fine - for contravention – Corporation

61(2) Despite subsection (1) every Corporation which is convicted of an offence under the provisions of this By-law is liable to a fine not exceeding \$50,000.00.

Special Fine - for contravention

61(3) Every person who contravenes any of the provisions of this By-Law and is found guilty of an offence may be subject to a special fine, imposed in addition to any other fine imposed as a result of a contravention of the By-Law, in an amount the court deems appropriate to eliminate or reduce the possible economic advantage that a person may otherwise receive by contravening the By-Law.



Kingston Area Taxi Commission
Report to Taxi Commission
Report Number: 24-008

Exhibit D to Report 24-008

Kingston Area Taxi Commission

Motion 23-014

“Carried”

Therefore Be It Resolved That That the Kingston Area Taxi Commission, on recommendation by the Standing Committee, amend By-Law Number 2, adopting Taxi Stands to “Definitions” to By-Law Number 2 as follows;

“Taxicab Stand” means the area set aside on a public roadway, highway, or property or the area set aside on private property as designated by the Taxi Inspector or Commission, to be used by a Taxicab while it is waiting for or picking up goods or Passengers;

“Taxicab Stand List” means a list of all the Taxicab Stands within the jurisdiction of the Kingston Area Taxi Commission that is accessed on the Commission’s official website.



Kingston Area Taxi Commission
Report to Taxi Commission
Report Number: 24-008

Exhibit E to Report 24-008

Kingston Area Taxi Commission
Motion 23-015
“Carried”

Therefore Be It Resolved That the Kingston Area Taxi Commission, on recommendation by the Standing Committee, amend By-Law Number 2, to adopt “Taxi Stand Rules” and its clauses to By-Law Number 2 as follows;

TAXICAB STAND RULES

- 65 (1) Every Driver shall have properly affixed to the taxicab vehicle, the Taxi Plate, Top Sign and Fender Numbers prior to entering a Taxicab Stand.
- (2) Every Driver shall only enter a Taxicab Stand, by taking their position at the end of any line formed by the Taxicabs already on the stand.
- (3) Every Driver shall while waiting at a Taxicab Stand or at any public place:
 - (a) not obstruct or interfere in any way with the normal use of the Taxicab Stand or public place, or interfere with the surrounding traffic patterns,
 - (b) not make any loud noise or disturbance,
 - (c) be sufficiently close to their Taxicab to have it under observation at all times,
 - (d) not wash the Taxicab,
 - (e) not make repairs to their Taxicab, unless the repairs are immediately necessary;
- (4) Every Driver shall not pick up any Passenger within fifteen (15) metres of a Taxicab Stand when there are one or more Taxicabs upon the stand:
 - (a) unless an arrangement has been previously made with the Passenger for pickup at that, or;
 - (b) unless the Passenger exhibits a preference for that Taxicab;