



MEDIA RELEASE: Friday, May 27, 2011, 4:30 p.m.

## REGIONAL MUNICIPALITY OF WATERLOO LICENSING AND RETAIL COMMITTEE AGENDA

Monday, May 30, 2011  
3:30 p.m.  
Regional Council Chamber  
150 Frederick Street, 2<sup>nd</sup> Floor

---

1. **ELECTIONS OF CHAIR AND VICE-CHAIR**
2. **DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
3. **DELEGATIONS**
  - a) David Byers, United Taxi and Waterloo Region Taxi Association re: report CR-CLK-LIC-11-001
4. **REPORTS – Corporate Resources**
  - a) [CR-CLK-LIC-11-001](#), Request for Taxi-Cab Meter Tariffs Increase 1
  - b) [CR-CLK-LIC-11-002](#), 2010 Annual Report for Licensing and Enforcement Services (LES) 9
  - c) [CR-CLK-LIC-11-004](#), Annual Report – 2010 Regional (Area) Weed Inspector 14
5. **LICENSING HEARING OPENING ADDRESS** – Marty Sawdon, Administrator, Licensing & Regulatory Services
6. **LICENSING HEARINGS**
  - a) **BRODERICK, Gary – City Cabs Taxi Driver License #5461** (To be adjourned)
  - b) **GREWAL, Kuldeep - United Taxi Limited Taxi-cab Driver License #5860**
    - Evidence – M. Sawdon
    - Reply evidence from defendant
    - Recommendation - M. Sawdon
    - Committee discussion and recommendation
  - c) **GREWAL, Simardeep – City Cabs Taxi Driver License #5650**
    - Evidence – M. Sawdon
    - Reply evidence from defendant
    - Recommendation - M. Sawdon
    - Committee discussion and recommendation
  - d) **MIHALCEA, Ion (Jon) – Waterloo Taxi Limited Taxi-Cab Driver License #5898**
    - Evidence – M. Sawdon
    - Reply evidence from defendant

Recommendation - M. Sawdon  
Committee discussion and recommendation

e) **WEILER, James C. – United Taxi Limited Taxi-Cab Driver License #4909**

Evidence – M. Sawdon  
Reply evidence from defendant  
Recommendation - M. Sawdon  
Committee discussion and recommendation

f) **ZIOLKOSKI, Cory – New Hamburg Taxi-Cab Driver/Owner License #6168**

Evidence – M. Sawdon  
Reply evidence from defendant  
Recommendation - M. Sawdon  
Committee discussion and recommendation

**7. MOTION TO GO INTO CLOSED SESSION (if required)**

THAT a closed meeting of Licensing and Retail Committee be held on May 30, 2011 immediately following the taxi driver licensing hearings of the Licensing and Retail Committee meeting in Regional Council Chambers in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a) Personal matters about an identifiable individual;
- b) A matter in respect of which committee may hold a closed meeting under another Act.

**8. MOTION TO RECONVENE INTO OPEN SESSION**

**9. LICENSING HEARING - COMMITTEE DECISIONS**

**10. INFORMATION/CORRESPONDENCE**

**11. OTHER BUSINESS**

**12. NEXT MEETING**

**13. ADJOURN**



## REGION OF WATERLOO

CORPORATE RESOURCES  
Council and Administrative Services  
Licensing and Enforcement Services

---

**TO:** Members of the Licensing and Retail Committee

**DATE:** May 30, 2011 **FILE CODE:** L18-30

**SUBJECT:** REQUEST FOR TAXI-CAB METER TARIFFS INCREASE

---

**RECOMMENDATION:**

For information.

**SUMMARY:**

On March 11, 2011, the Region received a letter from the Waterloo Region Taxi Association requesting an increase to the tariffs charged to customers, attached as Appendix "A" to this report. On April 19, 2011, the Region received a follow-up letter that outlined supporting reasons for the increase request, also attached as Appendix "A" to this report.

Staff is not in favour of granting this increase at this time because of volatile gas prices. Staff is willing to review the fees over the summer months and make a recommendation in the fall about taxi fares. Staff has had discussions with other municipalities and there has been no or limited movement on fees so far this year.

**REPORT:**

The Waterloo Region Taxi Association has requested an increase in tariffs as follows:

Tariff	Current \$	Proposed by Association \$	% Increase
Initial Meter Fare "flag drop"	3.40	same	No change
Per Kilometer	1.80	2.20	+22%
Per hour waiting/contract	30.00	32.00	+6.65%

Staff has some concerns with the accuracy of these reasons cited by the Association:

- **"Fuel Costs."** The Association advises that fuel costs are not the main reason for the request but point out that fuel prices have increased 19% in 2011. Publicly, the Association maintains fuel prices are the "bottom line." Gas Buddy.com provides an 18 month average retail price chart for gasoline in Ontario:



The price of gasoline remains very volatile with conflicting opinions about the future, i.e. prices will plunge back down or will rise to a \$1.50 or more per liter. Over a period of three days in May, gasoline prices flipped back and forth by as much as 14¢ a liter. This fuel supply industry remains unstable and the federal government is planning an inquiry.

- **“Two years since last increase”** the last increase was approved mid-2010; this increase was to partially compensate the Association for the implementation of Harmonized Sales Tax, (HST). At the time of this increase, the tariffs of other municipalities were used as comparators and the rate was looked at holistically.
- **“Price Stability for School Board contracts”** In late April, 2011 the School Transportation Limited who acts on behalf of the two Regional School Boards informed staff that there is no urgency or pressure to raise tariffs. Future increases will be accommodated in the tendering process, when such increases actually occur. Further, the Region does not believe we should interfere with this tendering process.
- **“Cost of Living Increase.”** The Association is reporting an increase of 3% over the past 2 years. Stats Canada reports that the Consumer Price Index increased by 0.3% in 2009 and 2.6% in 2010.
- **“Staff costs have increased,”** In 2009, the General Minimum Wage was \$9.50 an hour. It was increased to its current rate of \$10.25 per hour in February, 2011 representing a 7.9% increase. Staff will seek clarification before the fall from the Association whether or not they only pay minimum wage.
- **“Taxi insurance costs have increased 3-5% over past two years,”** General automobile insurance rates are determined and approved by the provincial government’s Financial Services Commission of Ontario but only for private passenger automobile rates. They do not report on taxi-cab automobile insurance rates. The increase to general automobile insurance rates approved by the Commission for 2010 was 7.7% staggered throughout the year. The insurance companies may use this as a base and taxi-cab rates are determined by risk factors associated to the industry in general and the individual owner/driver.

- **“Mechanical maintenance and cleaning,”** Are business costs associated to the taxi-cab industry and are not captured by Statistics’ Canada. Staff offers no comment to the Association’s figures. However, it should be noted that staff have in the past, advised the industry to engage in “bulk purchasing” practices. The industry as a whole has a significant fleet. The Region uses bulk purchasing for vehicle purchases, fuel, cleaning services, tyres and so forth. A significant saving to business costs could be achieved with this practice.
- **“HST,”** as per comments in #2. Report CR-CLK-LIC-10-007 is available upon request.
- **“Comparisons to Other Municipalities”** Attached to this Report is a Taxi-cab Tariff Rates Report (Appendix “ B” - Docs# 789232) which outlines the current state of tariffs in Ontario and the impact of the Taxi Association’s proposal would have in the Region.
- **“Parity with the City of Guelph.”** The City of Guelph has a different taxi-cab licensing régime. Guelph taxi-cabs are licensed by the Police Services Board, are limited to 98 taxi-cabs owned by 2 companies, providing a taxi/population ratio of 1:1173 (ROW: 1:1650). The Association wants “parity” with Guelph but is being selective. Guelph does permit \$2.20 per km (ROW: current \$1.80) but only permits \$2.90 for the flag drop (ROW current: \$3.40); and \$30.00 waiting time (same as ROW: \$30.00 – Association seeking \$32.00).

**Conclusion:**

Staff is recommending that a tariff increase be deferred to the fall of 2011. The gasoline supply/price market remains volatile and staff recommends waiting for market stability to return. Other municipalities are taking this “wait and see” approach.

**CORPORATE STRATEGIC PLAN:**

While not meeting a specific area of the Corporate Strategic Plan, this By-law meets the required purposes of the general licensing powers afforded to municipalities by the *Municipal Statute Law Amendment Act, 2006*: health, safety and well being of persons, protection of persons and property, including consumer protection.

**FINANCIAL IMPLICATIONS:**

The Association’s request would increase a 5 km trip to the consumer by \$2.00 or 13.8%. It would also mean an increase in costs for the Grand River Transit.

**OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:**

Financial Services

**ATTACHMENTS**

Appendix “A” – Requests from Waterloo Region Taxi Association  
Appendix “B” – Ontario Municipal Taxi-cab Tariffs Report.

**PREPARED BY:** *M. (Marty) Sawdon*, Administrator, Licensing and Enforcement Services

**APPROVED BY:** *Kris Fletcher*, Director, Council & Administrative Services / Regional Clerk

## Region of Waterloo Taxi Association

March 11, 2011

Region of Waterloo License and Regulatory

Attention: Marty Sawdon

The Taxi Association met Tuesday March 9th and is requesting a meter rate adjustment.

We would like to meet with you Monday, Tuesday or Wednesday week of March 14<sup>th</sup> to share our ideas.

Time is of the essence as we would like this adjustment to take place on or before May 1<sup>st</sup>

This would help the School board as they would need to know by July so they can budget for the 2011 2012 school year.

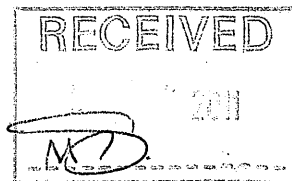
The following is in line with some of the taxi companies in the province.

We are seeking the following \$3.40 drop \$2.20 km \$32.00 per waiting hour.

Regards,

David Byers

Association President



April 19, 2011

Region of Waterloo License and Regulatory  
150 Frederick St.  
Kitchener, Ontario  
Attention: Marty Sawdon

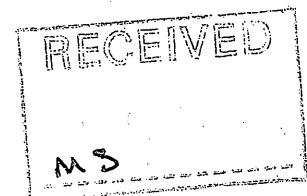
COPY

Re: Taxi Association request for a tariff increase

Marty,

This letter is in regard to Regional staff's recommendation to defer discussion of a taxi tariff increase until the fall. The Waterloo Taxi Association respectfully disagrees with this decision. As per our meeting on March 11, 2011 fuel costs are not the main reason the Taxi Association is asking for this tariff increase, but should be considered as the fuel has increased by 19% in 2011. Our request is based on the following:

- It has already been more than 2 years since the last increase, other than the 20 cent H.S.T. adjustment last year.
- We would like price stability to prepare for the government mandated tendering process for this year's School Board contracts.
- Cost of Living has risen about 3% the last 2 years.
- Staff costs have increased 12-15% the last 2 years, in part due to a government mandated increase in minimum wages from \$8.75 to \$10.25.
- Taxi insurance costs have raised an average of 3-5% the last 2 years.
- The cost of mechanical upkeep for our vehicles has increased from 10-20% in the last 2 years.
- Cleaning costs for our vehicles have increased up to 20% in the last year alone.
- Waterloo Regional taxi owners have absorbed 75% of the H.S.T. increase in the past year.



Also, we would like to note:

The License Committee gave great weight comparing Waterloo Region's tariff rate in relation to other Regions in the province. It was suggested Waterloo Region rates should be in the middle average range compared to other Municipalities. We have now fallen into the lowest 1/3 percentile compared to the 19 other centers listed by you.

The Taxi Association has requested tariff increases of 40 cents per kilometer and \$2.00 per hour waiting time. We feel this is reasonable based on the above mentioned factors.

These rates would put us on par with our closest municipality in Guelph.

For these reasons the Taxi Association respectfully requests staff to reconsider their recommendation.

Thank you for this consideration.

Respectfully,

Dave Byers  
President  
Waterloo Regional Taxi Association



To Whom It May Concern:

Over the last few years, the cost of taxi insurance has increased and the number of insurance companies that are interested in writing taxi insurance has significantly decreased. The automobile act in Ontario is particularly difficult due to the fact that any injuries to passengers or drivers, whether or not they are at fault or not at fault accidents, are in the most part paid for by the insurer of the taxi cab.

Most taxi insurance purchasers have received an increase of approximately 50% over the last five years. Insurers who have exited the class or who have limited their involvement are as follows:

Coachman Insurance Company (they are now no longer doing business in Canada).  
The Zurich Insurance Company.  
The Lombard Insurance Company.  
Chartis Insurance Company (formerly AIG Insurance).

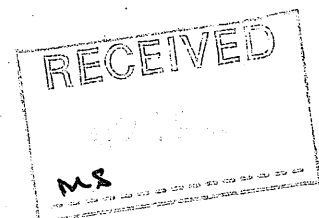
The cost to repair the physical damage on taxis have also increased which adds more burden to taxi insurers as the cost for the parts and the design of newer vehicles have made fixing automobiles more onerous and expensive.

Should you have any further questions, please do not hesitate to contact the writer.

Yours truly,

Chipman Purdom  
Executive Vice President

COPY



**Ontario Municipality Taxicab Tariffs Report  
Highest to Lowest - TAXI ASSOCIATION PROPOSED**

Current "Flag Drop" Rate City	Current Rate (highest to lowest)	
Coburg	New	\$4.75
Markham	Current	\$4.25
Brampton	Current	\$4.25
Mississauga	Current	\$4.25
Oakville		\$4.25
Richmond Hill	Current	\$4.25
Toronto	New	\$4.25
Vaughan	Current	\$4.25
Thunder Bay	Current	\$4.00
Whitby	New	\$3.80
Burlington	Current	\$3.51
London	Current	\$3.50
Niagara Falls	Current	\$3.50
Oshawa	New	\$3.50
Ottawa	New	\$3.45
Region Waterloo	Current	\$3.40
Milton	New	\$3.25
Hamilton	New	\$3.20
Brantford	New	\$3.00
Guelph	New	\$2.90

Increment Charges			
City	Rate	per	Distance (metre)
Coburg	0.30	per	200
Brampton	0.25	per	156
London	0.25	per	130
Markham	0.25	per	143
Milton	\$0.25	per	166.75
Mississauga	\$0.25	per	141
Niagara Falls	\$0.25	per	110
Oakville	\$0.25	per	140
Oshawa	\$0.25	per	143
Richmond Hill	\$0.25	per	143
Toronto	\$0.25	per	143
Vaughan	\$0.25	per	143
Guelph	0.22	per	100
Whitby	\$0.22	per	100
Brantford	\$0.18	per	100
Region Waterloo	\$0.18	per	100
Ottawa	\$0.16	per	86
Hamilton	\$0.13	per	71.4
Burlington	0.10	per	50.05
Thunder Bay	\$0.10	per	42

Projected Increment Charges (2.20 per km)			
City	Rate	per	Distance (metre)
Coburg	0.30	per	200
Brampton	0.25	per	156
London	0.25	per	130
Markham	0.25	per	143
Milton	0.25	per	166.75
Mississauga	0.25	per	141
Niagara Falls	0.25	per	110
Oakville	0.25	per	140
Oshawa	0.25	per	143
Richmond Hill	0.25	per	143
Toronto	0.25	per	143
Vaughan	0.25	per	143
Guelph	0.22	per	100
Whitby	0.22	per	100
Region Waterloo	0.22	per	100
Brantford	0.18	per	100
Ottawa	0.16	per	86
Hamilton	0.13	per	71.4
Burlington	0.10	per	50.05
Thunder Bay	0.10	per	42

Current Trip Cost *	
City	5 km Trip
Thunder Bay	\$15.80
Whitby	\$14.80
Niagara Falls	\$14.50
Guelph	\$13.90
Burlington	\$13.41
London	\$13.25
Oakville	\$13.00
Markham	\$12.75
Mississauga	\$12.75
Richmond Hill	\$12.75
Toronto	\$12.75
Vaughn	\$12.75
Ottawa	\$12.57
Brantford	\$12.40
Region Waterloo	\$12.40
Hamilton	\$12.30
Oshawa	\$12.00
Cobourg	\$10.75
Milton	\$10.75

Taxi Assoc. Proposed Trip Cost *	
City	5 km Trip
Thunder Bay	\$15.80
Whitby	\$14.80
Niagara Falls	\$14.50
Region Waterloo	\$14.40
Guelph	\$13.90
Burlington	\$13.41
London	\$13.25
Oakville	\$13.00
Mississauga	\$12.75
Richmond Hill	\$12.75
Toronto	\$12.75
Vaughn	\$12.75
Markham	\$12.75
Ottawa	\$12.57
Brantford	\$12.40
Hamilton	\$12.30
Oshawa	\$12.00
Coburg	\$10.75
Milton	\$10.75

Current	
City	Waiting Time per Hour
Thunder Bay	\$45.00
London	\$34.75
Hamilton	\$33.41
Markham	\$31.00
Richmond Hill	\$31.00
Toronto	\$31.00
Vaughan	\$31.00
Brampton	\$30.00
Brantford	\$30.00
Burlington	\$30.00
Guelph	\$30.00
Mississauga	\$30.00
Oakville	\$30.00
Region Waterloo	\$30.00
Oshawa	\$25.35
Niagara Falls	\$24.50
Ottawa	\$24.00
Milton	\$23.50
Coburg	\$23.25
Whitby	\$0.00

Taxi Assoc. Proposed	
City	Waiting Time per Hour
Thunder Bay	\$45.00
London	\$34.75
Hamilton	\$33.41
Region Waterloo	\$32.00
Markham	\$31.00
Richmond Hill	\$31.00
Toronto	\$31.00
Vaughan	\$31.00
Brampton	\$30.00
Brantford	\$30.00
Burlington	\$30.00
Guelph	\$30.00
Mississauga	\$30.00
Oakville	\$30.00
Oshawa	\$25.35
Niagara Falls	\$24.50
Ottawa	\$24.00
Milton	\$23.50
Coburg	\$23.25
Whitby	\$0.00



**REGION OF WATERLOO**

**CORPORATE RESOURCES  
Council and Administrative Services  
Licensing and Enforcement Services (LES)**

---

**TO:** Members of the Licensing and Retail Committee

**DATE:** May 30, 2011 **FILE CODE:** L18-80(A)

**SUBJECT:** 2010 ANNUAL REPORT FOR LICENSING AND ENFORCEMENT SERVICES (LES)

---

**RECOMMENDATION**

For information.

**SUMMARY**

This report summarizes the activities of the Licensing and Enforcement Services unit of Council and Administrative Services for the year 2010.

**REPORT:**

**Introduction:**

Licensing and Enforcement Services (LES) is responsible for the licensing, administration and enforcement of the by-laws for taxi-cabs with meters, limousines, special transportation (child transport), salvage yards and second hand goods / shops as well as the enforcement of by-laws for tree cutting including exceptions, illegal dumping and garbage collection, landfill site including speed enforcement with radar and load inspections, outdoor water use (Stage II Conservation and Stage III Emergency) and smoking in public places. LES is also tasked with the enforcement of provincial statutes – the *Weed Control Act*, the *Smoke-Free Ontario Act* (SFOA), the administration of the *Retail Business Holidays Act* (normally must be closed on designated holidays) including exception hearings and assists with the red light camera program. The number of cameras installed at intersections and requests for evidence continued to increase in 2010.

**Staff / Fleet:**

The following are assigned full-time to the LRS unit: 1 Administrator, 1 Licensing Clerk and 5.5 Enforcement Officers. Three and a half (3.5) officers are assigned to Licensing and By-law Enforcement Services. Two officers are assigned to *Smoke Free Ontario Act* enforcement. These officers are all cross-appointed and can provide mutual assistance to each other. Also appointed to the Unit is a temporary (seasonal) part-time Weed Inspector. In 2010, the Giant Hogweed Reduction program was initiated using 3 university students as seasonal full-time weed inspectors.

LRS is equipped with vehicles.

**Other Activities or Interim Reports for 2010:**

Other reports have been previously submitted and are available upon request:

1. *Weed Control Act* – Annual Report - 2010, CR-CLK-LIC-11-004
2. Interim Report – Giant Hogweed Reduction Program, Year #1, CR-CLK-LIC-10-010

Below were the activities of the Licensing and Enforcement Services unit in 2010:

**Licensing / Permits**

<b>Type</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Total Licenses Issued	1088	1155	1150
Total Revenues Received <sup>1</sup>	\$190, 223.18	\$213, 442.00	\$231,709.76
Taxi-cabs W/Meters <sup>2</sup>	886	977	901 <sup>2</sup>
Limousines <sup>2</sup>	106	95	106 <sup>2</sup>
Special Transport Vehicles (child) <sup>2</sup>	2	2	2
Salvage Yards/Shops	28	28	27
Second Hand Goods	53	51	62
Total L&RC hearings	2	2	2
Total Defendants – L&RC Hearings	5	8	9
Tree Cutting – NIC's <sup>3</sup>	38	31	52
Tree Cutting – TBEC* Hearings	0	0	0

<sup>1</sup> From all types of licenses and permits. Fees are revenue neutral, based on the costs to administer, licence and enforce the By-laws.

<sup>2</sup> Includes all licences – Broker/Company (6), Owner/Vehicle (326), and Driver (569)

<sup>3</sup> NIC's – Notice(s) of Intention to Cut

\*TBEC – Tree By-law Exception Committee

**Inspections**

The enforcement officers of LES carry out inspections to administer and enforce licensing by-laws and the *Smoke Free Ontario Act*:

<b>Type of Inspection</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Taxi-Cab with Meter	1,715	2150	1,560
Limousine	2	17	21
Special Transport (child)	4	0	2
Salvage Yards / Shops	47	53	43
Second Hand Goods	59	45	52
Tree Cutting – NIC's	38	60	52
Outdoor Water Use	---	---	55
<i>Smoke Free Ontario Act</i> <sup>1</sup>	2,555	3,093	1,997
<b>Total</b>	<b>4,420</b>	<b>5,418</b>	<b>3,330</b>

<sup>1</sup> Includes all types – Routine inspections of all public and work places, retailers and using youth test shoppers.

**Taxi-Cab Inspections:**

A minimum of three (x3) random inspections of Taxi-cabs are carried out per year. This includes a test of the taxi-cab meters. An analysis of the inspections of Taxi-cabs revealed a 10.1% failure rate. The failures could range from a dirty vehicle to more serious defects to tyres or brakes. Notices to correct the defects are issued with follow-up inspections to ensure that the defect(s) has been corrected. A 10% failure rate is the norm and considered acceptable for a minimum of x3 inspections per year.

**Enforcement:**

**Complaints/Investigations:**

Complaints / Investigations	2008	2009	2010
<b>By-laws:</b>			
Election signs / Sign by-law	14	0	734 (election) signs removed
Dumping	3	40	65
Taxi-cab	114	27	22
Limousine	0	1	0
Garbage	161	454	481
Second hand	8	1	10
Salvage	6	4	6
Trees – Woodland Protection	1	12	10
Special Transport (child)	1	0	0
Outdoor Water Use	---	---	221 <sup>1</sup>
<b>Smoke Free Ontario Act</b>	172	130	184 <sup>2</sup>
<b>Total Number of Investigations</b>	<b>480</b>	<b>665</b>	<b>1,525</b>

<sup>1</sup>includes 4 complaints made to Waterloo Regional Police

<sup>2</sup>includes 8 complaints made to Waterloo Regional Police

**Warnings and Charges:**

Enforcement	2008		2009		2010	
	Warn	Charge	Warn	Charge	Warn	Charge
Taxi-Cab	114	8	89	7	73	5
Limo	0	2	0	3	0	1
Special Transport (Child)	1	0	0	0	0	0
Salvage	6	1	11	1	6	0
Second-Hand	8	0	8	2	9	0
Tree Cutting	5	1	3	0	0	0
Garbage	161	5	91 <sup>1</sup>	17	477 <sup>1</sup>	4
Landfill	128	14	84	1	22	5
Water Use	226	15	70	3	210	7
S-FOA	336 <sup>2</sup>	86	104 <sup>2</sup>	135	56	67
Election Signs By-law	55 signs removed	0	0	0	n/a	n/a
ROW Sign By-law	n/a		n/a		734 signs (election) removed	0

<sup>1</sup>Includes pro-active enforcement patrols in the City of Waterloo off-campus student housing areas

<sup>2</sup>Includes all types of warnings including warning letters to vendors.

**Garbage/Dumping**

These complaints continue to dominate unit activities especially in the City of Waterloo where complaints outnumber the rest of the Region combined. Most complaints are received from Waste Management Services and most are accorded same-day service. These complaints are for the most part, situated in the off-campus student housing areas especially during the critical periods in the spring and fall when students are moving in/out. The complaints in 2009 and 2010 were driven by pro-active enforcement efforts by LES working with Waste Management Services, the City of Waterloo and the Regional Police. The Unit continues to use "gentle persuasion" and other enforcement against offenders including both tenants and property owners resulting by Regional officers. Under consideration is "ramping up" enforcement (charges).

**Smoke-Free Ontario Act - Enforcement**

The number of tobacco vendors that were charged with selling tobacco products to youth decreased in 2010. At the same time, there was a decrease in the number of vendors selling tobacco products. In 2010, two tobacco vendors were each suspended by the Ministry of Health Promotion and Sport from selling tobacco products for six months following second convictions for selling tobacco to youth.

The federal and provincial governments enacted further restrictions on the sale of "flavoured" cigarettes/cigarillos which appeal to youth. The industry is finding ways to circumvent these restrictions and this information is being forwarded to both levels of government.

Another emerging trend here in the Region and elsewhere in the province is "hookah pipe parlours and restaurants." Tobacco is being mixed in with the "sheesha" product used with the pipes. Charges were laid against one establishment here in the Region.

The Tobacco Enforcement Officers work closely with the Waterloo Regional Police, the Ministry of Finance, the Alcohol and Gaming Commission of Ontario and Public Health Services.

**Regional Sign By-law**

Following a lengthy education of the public, the Regional *Sign By-law* was enacted in June 2010. A municipal election took place on Oct. 25, 2010 with 192 candidates. By the end of September, all of these candidates had been sent information packages about the new By-law and the requirements regarding election signs. Almost immediately, complaints about non-compliant signs became so numerous that assigned staff was overwhelmed. Officers were re-assigned from other duties to carry out pro-active enforcement. Non-compliance to the By-law was widespread and involved about half of the candidates. No tickets (charges) were issued as the Ministry of the Attorney-General had not authorized and approved a Set Fine schedule in time for this municipal election.

**Staff Achievements in 2009:**

Licensing Clerk Peggy Walter and Officer Connie Gardner are enrolled in the Municipal Law Clerk Program at Conestoga College and in 2010, successfully received credits in this Program.

**Conclusion:**

LES duties and tasks remained constant in 2010 with a continuing increase in activities. The number of taxi-cabs in the Region rose by 5 licences to **326** in accordance to the 1:1650 ratios and the population increase report received in 2009. Additionally there are 15 licences issued for Accessible Taxi-cabs. Further, the Taxi-cab Brokers were authorized an increase to their tariffs charged to customers in 2010 to partially accommodate the introduction of the Harmonized Sales Tax, (HST). Fuel prices remained fairly level in 2010 with a climb in prices experienced near the end of the year.

The unit continues to work together with other enforcement agencies such as the Waterloo Regional Police, area fire services, and Ministries of the Environment, Transport, Labour, Agriculture, Finance – Taxation, the Alcohol and Gaming Commission and area By-law services. The unit and its' staff are members of professional associations, e.g. Municipal Law Enforcement Officers' Association, Prosecutors' Association of Ontario, the OMBI Group for Licensing and By-law Enforcement and the Ontario Association of Chiefs of Police.

## **CORPORATE STRATEGIC PLAN**

This Report is in keeping with the Region's statutory obligations and supports the Region's Strategic Plan.

## **FINANCIAL IMPLICATIONS**

The Licensing and Enforcement Unit is financed through the general tax levy, cost recoveries from licensing revenues and Transportation and Environmental Services. The Ministry of Health Promotion provides funding to pay for two tobacco enforcement officers and their related logistical support costs.

## **OTHER DEPARTMENT CONSULTATIONS**

Facilities (security), Traffic Engineering (signs), Public Health, Legal including Provincial Offences Act Court, Waste Management, Water Efficiency, Planning (Trees), Finance (OMBI), Fleet Services and Transportation (GRT) are regularly consulted on an on-going basis.

**PREPARED BY:** *M. (Marty) Sawdon*, Administrator, Licensing and Enforcement Services

**APPROVED BY:** *Kris Fletcher*, Director, Council and Administrative Services/Regional Clerk

**REGION OF WATERLOO****CORPORATE RESOURCES  
Council & Administrative Services  
Licensing and Enforcement Services**

---

**TO:** Members of the Licensing and Retail Committee

**DATE:** May 30, 2011 **FILE CODE:** L19-03(A)

**SUBJECT:** ANNUAL REPORT - 2010 REGIONAL (AREA) WEED INSPECTOR

---

**RECOMMENDATIONS:**

For Information.

**SUMMARY:**

Each year, Council appoints an Area or Regional Weed Inspector as required by the *Weed Control Act*, R.S.O. to enforce said *Act* within the Council's jurisdiction. From 2004 to 2010 inclusive, Council appointed Mr. Larry Martin to carry out inspections and assist the Weed Inspectors appointed by area municipalities. The cities of Cambridge, Kitchener and Waterloo appoint their own Municipal Weed Inspectors. The Townships of North Dumfries, Wellesley, Wilmot and Woolwich do not appoint a Weed Inspector; they use the services of the Regional or Area Weed Inspector.

**REPORT:****Local Weed Control By-law 08-024:**

In mid-2010, the provincial government designated Giant Hogweed (GHW) as a noxious weed under the *Weed Control Act*. Accordingly, By-law 08-024 was repealed.

**Activities – Includes Calls, Queries and Complaints**

Municipality	2008	2009		2010	
	All Weeds	GHW	Noxious Weeds <sup>1</sup>	GHW (See Report CR-CLK-LIC 10-010)	Noxious Weeds <sup>1</sup>
Cambridge	7	32	6	127	7
Kitchener	6	52	7	109	9
Waterloo	7	43	7	102	12
North Dumfries	21	20	2	87	10
Wellesley	17	59	16	132	20
Wilmot	19	45	19	95	11
Woolwich	22	19	20	117	21
Out of Region	4	---	11	41	6
<b>Totals</b>	<b>99</b>	<b>270</b>	<b>112</b>	<b>810</b>	<b>80</b>

<sup>1</sup> These include weeds of both the designated and non-designated varieties of noxious weeds.



**Report:**

The number of calls to the Regional Weed Inspector about (non-GHW) noxious weeds declined in 2010 from 2009 mainly due to the Giant Hogweed Reduction Program. This program is reported in CR-CLK-LIC-10-010 and is available upon request. There were two incidents of non-compliance regarding GHW and it was necessary for Insp. Martin to issue two Orders (Form 1) under the *Weed Control Act*. This achieved compliance and the GHW was eradicated. Orders for other designated noxious weeds were not required.

**Other Designated Noxious Weeds**

European Buckthorn, a designated noxious weed, causes fungus problems with grain crops and it has been found along Crows-Foot Road in Woolwich Township. Property owners were directed to destroy this weed and they complied.

Inspector Martin has also observed a large presence of an invasive plant called Garlic Mustard growing throughout the Region. This plant can be destructive to woodlots and in time will affect agricultural land. Also, if it is eaten by cattle, horses or goats; it can cause their milk to sour, affecting milk, cheese and meat production. In addition, Garlic Mustard is a threat to the butterfly population which provides plant pollination. Currently, this weed is not designated under the *Weed Control Act* and the province is being advised to designate it.

**Training and GHW Presentations:**

Inspector Martin attended (and gave presentations) at the following events in 2010:

- Apr. 14, Weed inspectors Conference- Guelph, Ont.
- May 5, Training / supervising summer students.
- Sep. 2, GHW presentation for Parks Dept. @ Kitchener Auditorium
- Sep 27, GHW presentation @ EMS building, Erb St., Waterloo, Ont.
- Oct. 4-5, Invasive plant seminar, London, Ont.
- Oct. 18-19, GHW presentation, Forester's Falls near in Cobourg, Ont. and touring woodlot areas near Rice Lake, concerning *Dog Strangling Vine*.

**Conclusion:**

Year #1 of the GHW Reduction Program (2010) was a great success. A total of 6300 GHW plants were located and eradicated. As previously stated, in August 2010, the Province of Ontario designated GHW as a noxious weed due in part by the influence exercised by the Region.

For *Weed Control Act* purposes, the most permanent method of noxious weed eradication is through the application of permitted herbicides by certified land exterminators which is permitted under the *Pesticide Act*. Another practice used along the rural roads by the Region and Townships is cutting. This method temporarily resolves the problem but in a short time, the noxious weeds (colt's foot, wild mustard etc.) will re-grow with stronger roots and re-seed themselves. It is recommended that a roadside spraying program every 4-5 years be considered.

Inspector Martin would be available to make a presentation to the Committee and/or Council.

Appreciation is extended to the Township of Wellesley for providing office space for the GHW students and Inspector Martin. There has been great rapport between the students, Insp. Martin and the township staff members.

#### **CORPORATE STRATEGIC PLAN:**

**Focus Area 1:** Environmental Sustainability: Protect and enhance the environment  
**Weed Control Act:** A legislative requirement.

#### **FINANCIAL IMPLICATIONS:**

The cost for this program is approximately \$17,000.00 per year which includes part-time salary, benefits, equipment, supplies, training and mileage for Insp. Martin. The cost for Year #1 of the Giant Hogweed Reduction Program was approximately \$50,000.00 dollars.

#### **OTHER DEPARTMENT CONSULTATIONS:**

- Finance department
- Municipal Weed Inspectors for Cambridge, Waterloo and Kitchener
- Transportation and Environment Services

**PREPARED BY:** *Larry Martin, Area Weed Inspector, Licensing and Enforcement Services*  
*M. (Marty) Sawdon, Administrator, Licensing and Enforcement Services*

**APPROVED BY:** *Kris Fletcher, Director, Council and Administrative Services/ Regional Clerk*