

Town of Whitby

Staff Report

whitby.ca/CouncilCalendar



Report Title: Proposed Amendment to the Private Transportation Services By-law, Accessible Taxis

Report to: Committee of the Whole

Date of meeting: May 5, 2025

Report Number: CMS 07-25

Department(s) Responsible:

Community Services Department
Legal and Enforcement Services

Submitted by:

Francesco Santaguida, Commissioner,
Legal and Enforcement Services

John Romano, Commissioner,
Community Services

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

Andre Gratton, Senior Manager of
Enforcement Services

Michele Cotton, Accessibility Coordinator

1. Recommendation:

1. That Report CMS 07-25 be received for information.
2. That the proposed amendments to the Town's Private Transportation Services By-law # 7398-18, substantially as appended in Attachment 1, be brought to Council for consideration and adoption.

2. Highlights:

- Currently, there is a shortage of accessible taxicabs available to provide transportation for people with disabilities in Durham Region.
- A Regional Working Group identified an opportunity for each Durham municipality to amend their by-laws to permit cross-jurisdictional transportation for licensed accessible vehicles, making it easier for accessible taxicabs to serve people with disabilities across the region.

- Municipalities across Durham Region have worked together over the past year to address the feedback from residents about a shortage of accessible taxis.
- Staff is recommending that the Town amends the private transportation by-law to remove the barrier which requires a signed contract to allow a taxi to move across municipal borders.
- All eight Durham Region municipalities are taking similar actions to remove barriers.

3. Background:

Municipal Accessibility Coordinators from across the region received feedback from residents that there is a shortage of taxis available to transport people with disabilities across Durham. The pandemic posed significant financial impact on the taxi industry as a whole and as a result, the number of licensed accessible vehicles has declined. At the time of this report, very few municipalities in Durham have an accessible taxicab available for riders with disabilities.

This issue is compounded by the fact that a municipally licensed taxicab can only cross into another city/town for the sole purpose of dropping off a customer. They cannot pick up new fares outside of the licensed area. Exceptions can be made for transporting people with disabilities, but they are required to draw up a written contract and under the current regulations this conveyance must start or end within the taxicab's licensed municipality.

This cumbersome process and the shortage of available taxicabs makes it difficult for some people with disabilities to travel to medical appointments, to visit family/friends, and/or to participate in employment, volunteer, and leisure opportunities.

In the fall of 2024, a regional Working Group, made up of Accessibility Coordinators and By-Law / Enforcement Staff from each municipality, joined together to examine the Municipal Act and current municipal Private Transportation By-laws. They determined that there was an opportunity for municipalities to amend their by-laws to make it easier for accessible taxicabs to serve people with disabilities across the region.

4. Discussion:

As a first step, the Working Group sent out a cross-municipal Accessible Taxi Survey to better understand the problem which resulted in 148 responses (see Attachment 3).

Notable highlights included:

- 58% of respondents use or would use accessible taxi service, if available.
- 79% of respondents indicated that they were not able to access or book an accessible vehicle when needed.
- The majority of respondents indicated that accessible taxi service was primarily required to access health and medical appointments, employment/volunteer opportunities, or personal errands (e.g. groceries, prescription pick-up).

Municipalities within Durham currently operate under Private Transportation By-laws that govern the operation of taxicabs within the associated municipality. Currently, these by-laws do not permit licensed accessible taxicabs to cross municipal boundaries to pick up a fare without drawing up a written contract. Additionally, the journey is still required to start or end within the taxicabs licensed area. This poses a barrier for people with disabilities who require cross-boundary transportation that originates in a municipality with limited or no access to accessible taxicabs.

The Regional Working Group is proposing that all Durham Region municipalities make an amendment to their private transportation by-laws to permit cross-jurisdictional transportation explicitly for licensed accessible vehicles, to serve people with disabilities, regardless of the trip's starting or ending location within Durham Region boundaries. Staff from each Durham municipality are bringing these amendments to their respective Councils for adoption to address the needs of residents across the region.

Staff recommends that the Town of Whitby participates in this initiative and amend its [Private Transportation Bylaw #7398-18](#), to allow licensed accessible taxicabs to engage conveyances within any of the eight Durham Region municipalities to transport people with disabilities.

This action ensures that all residents, regardless of their physical, emotional, or mental abilities, have equitable access to transportation options within Durham Region. By fostering greater mobility and removing barriers to accessible cross-municipal transportation, the Town is advancing its commitment to social inclusion and quality of life for its residents. This change will provide residents with the flexibility to travel independently within the region, ensuring equitable access to essential services.

Municipalities across Durham Region have received feedback about a shortage of accessible taxis. This situation can make it difficult for some people to travel to medical appointments, to visit family/friends, and/or to participate in employment, volunteer, and leisure opportunities.

Municipal Act and Accessibility Regulations

[Section 156 of the *Municipal Act, 2001*](#) permits municipally licensed taxis to operate where conveyance of a trip takes place wholly within the municipality or from any starting point within the municipality to any point outside of the municipality. However, this provision is void where:

1. The purpose of the conveyance is to transport persons with physical, emotional, or mental disabilities from any point in the municipality to any point outside the municipality

The conveyance is made pursuant to a written contract for the use of a taxicab which can legally operate in the municipality in which the conveyance begins or ends. This written contract often takes the form of a letter signed by the resident who requires an accessible taxi from another municipality.

Administrative Penalty System

In addition to the recommended amendments above, staff recommend that the Private Transportation By-law is amended to insert Administrative Penalty System (APS) provisions, Attachment 2. This includes amendments to the Penalty provisions and the adoption of the Administrative Penalties contained Schedule “3”. This amendment facilitates the migration of all municipal by-laws to the APS system. This recommendation coincides with direction of Council and recommendations contained in [Report LS 04-24](#).

5. Financial Considerations:

There is no financial impact as the proposed changes align with existing infrastructure and regulatory systems in place for licensing of municipal accessible taxicab services.

6. Communication and Public Engagement:

Effective communication will be key in ensuring that residents and taxicab operators are aware of the proposed changes and how they will affect private transportation services in the region. A communication plan will be developed for educating taxicab operators and customers of cross-boundary accessible taxicab operations.

7. Input from Departments/Sources:

In addition to the community survey, input and expertise was sought from municipal licensing staff, legal staff, individuals with disabilities, and licensed taxicab operators across the region, including the Accessibility Advisory Committees.

8. Strategic Priorities:

This amendment supports the Community Strategic Plan and connects to Pillar 1:

- Whitby’s Neighbourhoods – Safe, Healthy, and Inclusive – by expanding opportunities for accessible taxis to operate in Whitby, it allows persons with disabilities to access employment, medical appointments, social interactions, groceries, and necessities, creating a more inclusive community.

9. Attachments:

Attachment 1 – Amendment to the Private Transportation Services By-law # 7398-18

Attachment 2 – Schedule “3” for Private Transportation Services By-law

Attachment 3 – Accessible Taxi Survey Final