

## Licensing and Standards Committee

<b>Meeting No.</b>	3	<b>Contact</b>	Helen Smith, Manager
<b>Meeting Date</b>	Friday, March 30, 2007	<b>Phone</b>	416-392-0146
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	<a href="mailto:HLSmith@toronto.ca">HLSmith@toronto.ca</a>
<b>Location</b>	Committee Room 1, City Hall		

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Councillor Howard Moscoe (Chair)	Councillor Sandra Bussin	Councillor Rob Ford
Councillor Denzil Minnan-Wong (Vice Chair)	Councillor Mike Del Grande	Councillor Anthony Perruzza

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### **Declarations of Interest under the Municipal Conflict of Interest Act**

**Speakers/Presentations: A complete list will be distributed at the meeting**

**Confirmation of Minutes:** February 16 , 2007

**Timed Items**

9:30 a.m. - LS3.1  
 1:30 p.m. - LS3.2  
 LS3.3

**Communications/Reports**

LS3.1	ACTION	9:30 a.m.		
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**Briefing to the Committee Members on the Taxi Industry****Public Notice****Summary**

Recommendation to Council.

**1a Impact of Airport Limousines on the Taxicab Industry**

(March 16, 2007) report from Executive Director, Municipal Licensing and Standards

**Recommendations**

The Executive Director, Municipal Licensing and Standards Division recommends that:

1. The Executive Director, Municipal Licensing and Standards Division, and the General Manager, Economic Development, Culture and Tourism Division, on behalf of the City of Toronto, consult with the Greater Toronto Airports Authority, the Provincial government, the Federal government, the Greater Toronto Transportation Authority, municipalities adjacent to the City of Toronto and other stakeholders regarding service for the travelling public going to or arriving at Lester B. Pearson International Airport for the purpose of developing a strategic policy framework and report to Committee at its first meeting of 2008; and,
2. City Council reaffirm support for the position to remove the “airport exemption” from the City of Toronto Municipal Code in § 545-2B(2) Chapter 545, Licensing, subject to the results of the consultations.

**Summary**

This report canvasses the issues related to the “airport exemption” contained in the Municipal Act and subsequently not carried forward with the enactment of the City of Toronto Act, 2006, (the COTA), rationales related to its removal from Chapter 545, Licensing, of the City of Toronto Municipal Code (the Code), and other strategies for the public to travel to and from Lester B. Pearson International Airport (the Airport).

The Municipal Licensing and Standards (ML&S) Division, together with the Economic

Development, Culture and Tourism Division, on behalf of the City of Toronto, consult with the Greater Toronto Airports Authority, the Provincial government, the Federal government, the Greater Toronto Transportation Authority, municipalities adjacent to the City of Toronto and other stakeholders regarding service for the travelling public going to or arriving at Lester B. Pearson International Airport for the purpose of developing a strategic policy framework and report to Committee at its first meeting of 2008.

City Council reaffirm support for the position to remove the “airport exemption” the City of Toronto Municipal Code in § 545-2b(2) Chapter 545, Licensing, subject to the results of consultations.

The City Solicitor, the General Manager of Economic Development Culture and Tourism, and the City Manager’s Office were consulted in the preparation of this report.

### **Background Information**

Impact of Airport Limousines on the Taxicab Industry

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-2371.pdf>)

### **Communications**

(March 13, 2007) Submission from Louis Vittas, Airline Limousine - LSMain

(<http://www.toronto.ca/legdocs/mmis/2007/ls/comm/communicationfile-813.pdf>)

LS3.2	ACTION	1:30 p.m.		
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## **New Harmonized Fireworks By-law and Permit Rules**

### **Public Notice**

(February 13, 2007) report from Toronto Fire Services

### **Recommendations**

Toronto Fire Services recommends that:

1. The City Solicitor be directed to prepare the necessary bills to repeal the former City of Toronto Municipal Code, Chapter 190, Etobicoke Municipal Code Chapter 137, Scarborough By-law 23650, York By-law 1648-73, Borough of East York By-law 695 and North York By-law 25102, and any by-laws amending these, as of January 1, 2008.
2. The City Solicitor be directed to prepare the necessary bills with respect to a new fireworks by-law (to be effective January 1, 2008) to implement the recommendations in this report.
3. The Municipal Licensing and Standards Division issue permits to Permanent Fireworks Vendors that meet the requirements of the federal Explosives Act and regulations under that act (the “Explosives Act”) to sell family, display, and theatrical fireworks year-

round, at a cost of \$2,500 per year.

4. Municipal Licensing and Standards Division issue permits to Temporary Fireworks Vendors, Temporary Lease Fireworks Vendors and Mobile Fireworks Vendors to sell only family fireworks only on Canada Day and the seven-day period before Canada Day and on Victoria Day and the seven-day period before Victoria Day at a cost of \$500 per year.
5. Toronto Fire Services complete all inspections for Permanent, Temporary Lease and Mobile Fireworks Vendors and for Temporary Fireworks Vendors that do not already have a business license with the City.
6. Toronto Fire Services issue Special Occasions Discharge Permits for the discharge of family fireworks for religious, cultural and special events that are not discharged on or about Victoria Day or Canada Day (as described below), at a cost of \$25 per Special Occasions Discharge Permit.
7. The City Solicitor be directed to prepare the necessary bills to amend Schedule 1 of Appendix B of Chapter 441, Fees and Charges of the Toronto Municipal Code to add the following fees:
  - \$25 fee for a Special Occasions Discharge Permit
  - \$2,500 annual fee for Permanent Fireworks Vendor's Permit
  - \$500 annual fee for a Temporary Mobile Fireworks Vendor's Permit
  - \$500 annual fee for a Temporary Lease Fireworks Vendor's Permit
  - \$500 annual fee for a Temporary Fireworks Vendor's permit (where required under the by-law)
  - \$100 fee for an amendment to an existing Temporary Mobile Fireworks Vendor's Permit or a Temporary Lease Fireworks Vendor's Permit to reflect a new location for the temporary sale of Family Fireworks.
8. The City Solicitor be directed to prepare the necessary bills to amend Item 24 of Schedule 1 of Appendix B of Chapter 441, Fees and Charges of the Toronto Municipal Code to replace "Fireworks Display Permits" with "Fireworks Display/Theatrical Permits".
9. City Council authorize the Fire Chief and Executive Director, Municipal Licensing and Standards Division, or their respective delegates, to implement the fireworks by-law.
10. City Council authorize the Executive Director, Municipal Licensing and Standards, or their respective delegates, to implement the review and issuance of permits for the fireworks vendors under the fireworks by-law.
11. The City Solicitor be directed to make an application for the set fines as set out in the body of this report.

## Financial Impact

The proposed new fees for permits as a result of the proposed fireworks by-law change are as follows:

Permit Type	Proposed Annual Fee	Projected Volume (annually)	Total Projected Recovery
Permanent Fireworks Vendor	\$2,500.00	6	\$15,000.00
Temporary Lease Fireworks Vendor	\$500.00	20	\$10,000.00
Temporary Mobile Fireworks Vendor	\$500.00	6	\$3,000.00
Temporary Lease Fireworks Vendor Temporary Mobile Fireworks Vendor – Relocation fee	\$100.00 per relocation	unknown	unknown
Special Occasions Discharge Permit	\$25.00 per permit	unknown	unknown

The fees from vendors' permits will cover the various costs associated with processing and issuing the permits and on site inspections where required. The Municipal Licensing and Standards Division will recover \$210.00 per permit for Permanent, Temporary and Mobile Fireworks vendors. The remainder of the fees in each case will cover the cost of Toronto Fire Services inspections of the vendor's premises where the fireworks will be sold and will also contribute towards the cost of materials and advertising for public education on fireworks safety. The \$100.00 Relocation Fee will cover the cost of an additional inspection by Toronto Fire Services of the vendor's site. The application and a \$25.00 fee for a Special Occasions Discharge Permit for a family fireworks display will be submitted to local Fire Prevention offices for approval. A site visit will not be required for approval of applications for a Special Occasions Discharge Permit. All fees include applicable taxes.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## Summary

This report seeks Council's authorization to create a new, harmonized fireworks by-law for the City of Toronto. The by-law would regulate the sale of fireworks by both permanent and temporary fireworks vendors, requiring them to obtain vendor permits.

The new by-law would also allow the city to issue Special Occasions Discharge Permits for family fireworks at religious, cultural, and special events. The Special Occasions Discharge Permits will enable Toronto Fire Services to account for and document fireworks that the City has authorized to be safely discharged.

## Background Information

New Harmonized Fireworks By-law and Permit Rules

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-2000.pdf>)

LS3.3	ACTION	1:30 p.m.		
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## **Review of Applications to be Included in the City's List of Approved Professional Holistic Associations**

### **Public Notice**

(March 5, 2007) report from Executive Director, Municipal Licensing and Standards

### **Recommendations**

1. The following four holistic associations be included in Toronto Municipal Code Chapter 545, Licensing, Appendix L, and that these associations be recognized as Professional Holistic Associations for the purposes of licensing holistic practitioners and owners:
  - a. International Aromatherapists & Tutors Association Canada Inc.
  - b. International Council of Ayurvedic Physicians Inc.
  - c. Preventative Health Services Group
  - d. National Association of Holistic Health Practitioners
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.

### **Summary**

To recommend to the Licensing and Standards Committee an additional list of Professional Holistic Associations that meet the City of Toronto's criteria with respect to the licensing of holistic practitioners.

Staff received applications from the following holistic associations: International Aromatherapists & Tutors Association Canada Inc., International Council of Ayurvedic Physicians Inc., Preventative Health Services Group, and National Association of Holistic Health Practitioners. The associations were evaluated on three main criteria: (a) Governance; (b) Membership and Membership Services; and (c) Ethics and Discipline.

Based on the submitted applications, all four associations adequately meet the criteria to be included in Toronto Municipal Code Chapter 545, Licensing, Appendix L, as Professional Holistic Associations.

## Background Information

Professional Holistic Associations Approval

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-2369.pdf>)

LS3.4	ACTION			
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## Leaf Blower Use Restriction in City of Toronto

(March 9, 2007) letter from City Clerk

### Recommendations

1. City Council amend the Noise By-law (Chapter 591-4), adopted by Council June 18-20, 2002, to reflect the prohibited period of time for the operation of a power device that blows or vacuums leaves, grass cuttings, debris or other similar material as follows:
  - a. at all times in Quiet Zones;
  - b. at all times on residential properties [during the months of May, June, July, August and September];
  - c. between 6:00pm and 8:00am Monday to Saturday and at all times on Sunday on non-residential properties; and
  - d. on Smog Alert days.
2. The Licensing and Standards Committee, by mechanism of the Noise and Pollution by-laws, investigate unconditionally banning the operation of any powered leaf blower, electric or gas, in the City of Toronto.

### Summary

At the present time, the Noise By-law Chapter 591 for the City of Toronto prohibits the creation of noise by the use of leaf blowers between the hours of 9:00 p.m. one day to 7:00 a.m. the next day, 9:00 a.m. Sundays and statutory holidays.

Gas powered leaf blowers produce sound with a strong tonality, which is particularly objectionable, and generally levels measure in the range of 80-90 dBA and as of January 1, 1992, leaf blowers which produce sound levels in excess of 70 dBA at 15 metres are considered to be in violation of the Noise By-law and are, therefore, essentially banned in the City.

The number of noise complaints resulting from the use of leaf blowers increases steadily each year, as outlined in a Committee Report (January 10, 1996) submitted from the Acting Commissioner of Public Works and the Environment for the City of Toronto.

The Noise By-law Chapter 591 authorizes City Council to pass by-laws for prohibiting or regulating the making, causing or permitting of noises or any class or classes of noises within the municipality or any defined area or areas thereof which disturbs or may disturb the quiet,

peace, rest, enjoyment, comfort or convenience of the inhabitants, or which, in the opinion of the Council, are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants.

The pollution caused by leaf blowers extends beyond noise to dust, debris, mould, hydrocarbons, carbon monoxide and ground level ozone, all of which increase the levels of pollution and/or smog in the City resulting in a loss of quality of life for all residents.

Precedent exists. The City of Vancouver, BC, has already taken the initiative to support a City wide ban of leaf blowers (Noise Control By-Law No. 6555 – November 18, 2003).

### **Background Information**

Leaf Blower Use Restrictions in City of Toronto

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-1999.pdf>)

LS3.5	Information			
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### **Multi-residential Apartment Buildings Regulatory Strategy**

(March 6, 2007) report from Executive Director, Municipal Licensing and Standards

#### **Summary**

In 2004, Council directed that a regulatory strategy be developed to ensure multi-residential apartment buildings are maintained in accordance with the provisions of the Toronto Municipal Code. The enabling legislation came into effect on January 1, 2007 with the enactment of the City of Toronto Act, 2006.

Internal stakeholders' consultations commenced in October 2006 and external stakeholders' consultations began in December 2006. A public consultation will be scheduled in the spring of 2007.

A report, in the form of a discussion paper, will be presented in the summer of 2007 and will set out a series of options for consideration by the standing committee. The policy options will form the basis of the regulatory regime, which may include: a licence, a permit, a registration, an approval and/or other type of permission. It will also be supported by an enhanced inspection program to augment the current enforcement strategy to minimize the number of complaints, while increasing compliance with maintenance standards.

### **Background Information**

Multi-residential Apartment Buildings Regulatory Strategy

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-2368.pdf>)



LS3.6	Information			
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### **Re-examination of the Feasibility of Licensing Bicycle Couriers under the City of Toronto Act**

(March 5, 2007) report from Executive Director, Municipal Licensing and Standards

#### **Summary**

The purpose of this report is to re-examine the feasibility of licensing bicycle couriers after the adoption of the City of Toronto Act, 2006.

Under the City of Toronto Act, 2006, a municipality does not have the power to license a courier business, and/or owners or drivers of vehicles used for hire in a courier business, including bicycle couriers.

#### **Background Information**

Bicycle Courier Rev Report

(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-2366.pdf>)