

Licensing and Standards Committee

Meeting No.	17	Contact	Dela Ting, Acting Administrator
Meeting Date	Monday, November 17, 2008	Phone	416-397-7769
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Howard Moscoe

Confirmation of Minutes

On motion by Councillor Mike Del Grande, the Minutes of the Meeting of the Licensing and Standards Committee held on October 15, 2008, were confirmed.

(Deferred from October 15, 2008 - 2008.LS16.3)

LS17.1	ACTION	Amended		Wards: All
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Toronto Licensing Tribunal Annual Report Requirements

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council amend the relationship framework of the Toronto Licensing Tribunal so that the Tribunal is encouraged to identify improvements to the Licensing By-laws and make recommendations to the Licensing and Standards Committee, subject to those recommendations being first reviewed by the Executive Director, Municipal Licensing and Standards Division, for comment.
2. the Toronto Licensing Tribunal be requested to provide minutes of its business meetings to the Chair and Members of the Licensing and Standards Committee for information; and
3. City Council so advise the Toronto Licensing Tribunal of this action.

Origin

(August 13, 2008) Report from City Manager

Summary

The Licensing and Standards Committee requested a report on any conflict between the independence of the Toronto Licensing Tribunal and the requirement for the Tribunal to submit its Annual Report to the Deputy City Manager responsible for licensing issues for transmittal to the committee along with any comments from City staff.

Staff in the City Manager’s Office reviewed the relevant provisions of the Toronto Municipal Code and the Toronto Licensing Tribunal Relationship Framework, as amended by Council, and did not find these provisions to be in conflict. Appendix “A” to this report includes extracts of the Toronto Municipal Code, §543-3, Licensing, and Council-approved requirements for the Licensing Tribunal’s Annual Report.

Background Information

Staff Report from City Manager

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-16326.pdf>)

Motions

Motion to Amend Item moved by Councillor Howard Moscoe (Carried)

LS17.2	ACTION	Deferred		Wards: All
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Collection of Personal Information by City Licensed Second-Hand, Salvage Yard and Old Gold Dealers

Public Notice

Decision Advice and Other Information

The Licensing and Standards Committee deferred consideration of the report (October 29, 2008) from the Executive Director, Municipal Licensing and Standards Division, and requested:

1. the Executive Director, Municipal Licensing and Standards Division, to seek comments from the Toronto Police Services Board;
2. the City Solicitor to review the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) decision in light of the additional licensing authorities provided under the City of Toronto Act which may suggest amendments to the City of Toronto Licensing By-laws that would allow the City to collect this information for law enforcement purposes; and
3. this information be reported back to the Licensing and Standards Committee.

Origin

(October 29, 2008) Report from Executive Director, Municipal Licensing and Standards

Summary

This report addresses the issues raised by the Information and Privacy Commissioner of Ontario (IPC) regarding municipal by-laws which require the collection, recording and production of personal information from sellers of goods to Toronto licensed second-hand and salvage yard dealers and dealers in old gold and other precious metals and jewellery.

As a result of a complaint received on July 6, 2007, regarding the information collection practices of the City of Ottawa, relating to second-hand, the IPC conducted an investigation, which resulted in Order MO-2225 being issued to the City of Ottawa on September 11, 2007.

This Order directed the City of Ottawa and the Ottawa Police Service to cease requiring that second-hand goods shops collect certain pieces of personal information from individuals selling used goods to the shops. In addition, the IPC's Order required that those pieces of personal information that had been previously collected by the shops under the City's by-law be destroyed. This is the first time the IPC of Ontario has issued a cease collection and destruction Order under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), or its provincial counterpart.

This report recommends that similar provisions in the City of Toronto Municipal Code, Chapter 545, Licensing, as they relate to second-hand dealers, salvage yard dealers and dealers in old gold and other precious metals and jewellery, be amended to bring the Code into compliance with the Order issued to the City of Ottawa by the IPC.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17208.pdf>

Motions

Motion to Defer Item moved by Councillor Howard Moscoe (Carried)

LS17.3	ACTION	Adopted		Wards: 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 association be included in Toronto Municipal Code Chapter 545, Licensing, Appendix L, and that this association be recognized as a PHA for the purposes of licensing holistic practitioners and owners:
 - a. International Association of Thai Massage
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.

Origin

(October 28, 2008) Report from Executive Director, Municipal Licensing and Standards

Summary

To recommend to the Licensing and Standards Committee an additional Professional Holistic Association (PHA) that meets the City of Toronto's criteria with respect to the licensing approval of PHAs.

Staff received application from the International Association of Thai Massage. This association was evaluated on three main criteria: (a) Governance; (b) Membership and Membership Services; and (c) Ethics and Discipline.

Based on the submitted application, this association meets the criteria required to be included in the City of Toronto's Municipal Code Chapter 545, Licensing, Appendix L, as a PHA.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17209.pdf>

Motions

Motion to Adopt Item moved by Councillor Rob Ford (Carried)

LS17.4	Information	Received		Wards: All
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Status Update: Sign By-law Enforcement**Decision Advice and Other Information**

The Licensing and Standards Committee received this matter for information.

Origin

(October 30, 2008) Report from Chief Building Official/Executive Director, Toronto Building and Executive Director, Municipal Licensing and Standards

Summary

This report provides up-dated information respecting the status of sign by-law complaints, investigations and enforcement actions taken by Toronto Building and Municipal Licensing and Standards pursuant to the City's existing sign by-laws and further addresses the comments of Mr. Rami Tabello in his letter to the Licensing and Standards Committee dated April 8, 2008.

Toronto Building will be reporting to the Planning and Growth Management Committee on the development of a new harmonized by-law for signs on private property. In the process of developing the new by-law, consideration will be given to, amongst other matters, measures that will enhance capacity to ensure compliance and enforcement of the new by-law.

Background Information

Staff Report from Chief Building Official/Executive Director, Toronto Building and Executive Director, Municipal Licensing and Standards

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17210.pdf>)

Attachment 1A

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17265.pdf>)

Attachment 1B

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17266.pdf>)

Attachment 2A

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17267.pdf>)

Attachment 2B

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17268.pdf>)

Attachment 3A

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17269.pdf>)

Attachment 3B

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17270.pdf>)

Communications

(November 13, 2008) letter from Ron Palmer, Chair Bloor Yorkville BIA (LS.New.ls17.4.1)

Motions

Motion to Receive Item moved by Councillor Mike Del Grande (Carried)

Declared Interests

The following member(s) declared an interest:

Councillor Rob Ford - in that his family owns a business at 28 Greensboro Drive which is in the vicinity of one of the referenced sign locations.

LS17.5	Presentation	Referred		Wards: All
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Request for Presentation - Review of Mobile Vending - Catering

Decision Advice and Other Information

The Licensing and Standards Committee:

- referred the communications (October 31, 2008) from Tony O'Donohue, President, Environmental Probe Ltd., (October 27, 2008) from Louie Belcastro, President, The Classic Cuisine and comments raised by deputants, to the Executive Director, Municipal Licensing and Standards Division, for review and comments back to the Licensing and Standards Committee in March, 2009; and
- requested that Toronto Public Health and industry operators and stakeholders in the City of Toronto be notified and consulted in this review.

Origin

(October 31, 2008) Letter from Tony O'Donohue, President, Environmental Probe Ltd., addressed to Councillor Howard Moscoe

Summary

Request for a presentation to the Licensing and Standards Committee on behalf of the members of the mobile vending business.

Background Information

Letter from Tony O'Donohue, President, Environmental Probe Ltd.
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17217.pdf>)

Communications

(November 17, 2008) submission from Tony O'Donohue, on behalf of GTA Mobile Vendors' Association (LS.New.LS17.5.1)

Speakers

(November 17, 2008) Tony O'Donohue, President, Environmental Probe Ltd. (Submission Filed)

(November 17, 2008) Louie Belcastro, President, The Classic Cuisine

(November 17, 2008) Tony Bianchi, Member, GTA Mobile Catering Association

(November 17, 2008) Bruce Bould, President, GTA Mobile Catering Association

Motions

Motion to Refer Item (Recommendation 1) moved by Councillor Howard Moscoe (Carried)

Additional Recommendation 2 moved by Councillor Anthony Perruzza (Carried)

5a Review of Refreshment Vehicle By-Law as it Affects GTA Mobile Catering Association**Origin**

(October 27, 2008) Letter from Louie Belcastro, President, The Classic Cuisine, addressed to Councillor Anthony Perruzza

Summary

Expressing concerns with respect to the mobile vending business.

Background Information

Letter from Louie Belcastro, President, The Classic Cuisine
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-17218.pdf>)

Councillor Mike Del Grande assumed the Chair for part of the meeting.

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-11-17	Morning	9:45 AM	10:20 AM	Public

Attendance

Date and Time	Quorum	Members
2008-11-17 9:45 AM - 10:20 AM (Public Session)	Present	<i>Present:</i> Del Grande, Ford, Moscoe, Perruzza <i>Not Present:</i> Bussin, Minnan-Wong

 Chair