
Licensing and Standards Committee

Meeting No.	24	Contact	Dela Ting, Acting Administrator
Meeting Date	Thursday, October 8, 2009	Phone	416-397-7769
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Howard Moscoe

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LS24.2	ACTION			Ward: All
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Business Licensing Thresholds

Public Notice Given

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council adopt the amendments to Schedule A of Appendix K of Toronto Municipal Code Chapter 545, Licensing, as per Appendix A of this report.
2. City Council adopt deletion of the note, following 2-I of Appendix K.
3. City Council adopt January 1, 2010 as the date for the by-law amendments to come into effect.
4. City Council direct the City Solicitor to prepare the necessary bill, including any stylistic or technical amendments required, to give effect to any recommendations adopted by City Council; and
5. City Council authorise and direct City staff to take any other action necessary to implement the by-law amendments.

Origin

(September 16, 2009) Report from Executive Director, Municipal Licensing and Standards

Summary

This report is a response to a request from the Licensing and Standards Committee to consider the recommendations from the Chair of the Toronto Licensing Tribunal respecting the City's business licensing thresholds, which were unanimously found by the Tribunal to be vague as a result of the absence of references to specific sections of the Criminal Code.

When first introduced in 2004, the licensing thresholds included references to specific sections of the Criminal Code and other Statutes cited. These references were eliminated in 2005, on recommendation from staff who noted that the references, due to extended time periods under the purview of the thresholds, could under certain circumstances be making reference to erroneous sections.

Despite this, staff agree that fuller descriptions could be beneficial to both staff and Tribunal members and as such are recommending that they be provided in Schedule A of Appendix K.

Staff also recommend a technical amendment, to delete a note in Appendix K, to make the text fully consistent with the 2007 amendments.

The City Solicitor was consulted in the preparation of this report.

Public notice has been given in a manner prescribed in the Toronto Municipal Code Chapter 162, Notice, Public.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23799.pdf>)

LS24.3	ACTION			Ward: All
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Report of the Toronto License Tribunal Chair

Committee Recommendations

The Licensing and Standards Committee recommends to City Council that:

1. the report (April 14, 2009) from the Executive Director, Municipal Licensing and Standards and report (February 18, 2009) from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal submitting the 2008 Annual Report of the Toronto Licensing Tribunal, be received for information.
2. Toronto Licensing Tribunal decisions be posted on the City's website.
3. the City Manager's Office be directed to amend the relationship framework to allow the Toronto Licensing Tribunal to respond in a timely manner to applications for judicial review; and
4. in so doing, the Toronto Licensing Tribunal be permitted to make decisions on an interim basis, where necessary, to be later ratified by them at a business meeting.

Decision Advice and Other Information

Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal addressed the Licensing and Standards Committee.

Origin

(April 14, 2009) Report from Executive Director, Municipal Licensing and Standards

Summary

Ms. Carol Shirliff-Hinds, the Chair of the Toronto Licensing Tribunal, submitted a report, dated February 18, 2009, to the Deputy City Manager, and the Licensing and Standards Committee.

In her report, Ms Shirliff-Hinds identifies three primary concerns:

1. Tribunal Decisions are not at this time published on the City Web Site;
2. The wording, provided in appendix K of the City of Toronto, Municipal Code Chapter 545, Licensing, requires review and amendment for clarity; and
3. A review of the Relationship Framework that exists between the Tribunal and Council is required.

A copy of the report of the Chair of the Toronto Licensing Tribunal, dated February 18, 2009, has been provided to the Legal Services and Court Services Divisions and to the City Managers Office for their information.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards
(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23551.pdf>)

Communications

(April 16, 2009) Report from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal (LS.Main.LS24.3.1)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/comm/communicationfile-12059.pdf>)

(April 16, 2009) Submission from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal (LS.Main.LS24.3.1 Att 1)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/comm/communicationfile-12060.pdf>)

(April 16, 2009) Submission from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal (LS.Main.LS24.3.1 Att 2)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/comm/communicationfile-12061.pdf>)

(April 16, 2009) Submission from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal (LS.Main.LS24.3.1 Att 3)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/comm/communicationfile-12062.pdf>)

(May 7, 2009) Submission from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal (LS.Main.LS24.3.2)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/comm/communicationfile-12058.pdf>)

Speakers

Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal

3a 2008 Annual Report of the Toronto Licensing Tribunal

Origin

(February 18, 2009) Report from Carol Shirliff-Hinds, Chair, Toronto Licensing Tribunal

Summary

Submitting the 2008 Toronto Licensing Tribunal Annual Report.

Background Information

Toronto Licensing Tribunal 2008 Annual Report

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23555.pdf>)

1657575 Ontario Inc., v. Hamilton (City)

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23556.pdf>)

Toronto Licensing Tribunal Brochure

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23557.pdf>)

LS24.4	ACTION			Ward: All
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Amendments to Chapter 548 of the Toronto Municipal Code Littering and Dumping

Public Notice Given

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council adopt the proposed amendments to Chapter 548, Littering and Dumping of Refuse, as found in Appendix "A", attached to the report (September 16, 2009) from the Executive Director, Municipal Licensing and Standards.

Origin

(September 16, 2009) Report from Executive Director, Municipal Licensing and Standards

Summary

The purpose of this report is to recommend amendments to Chapter 548 which will improve the ability of staff to enforce the chapter, by clarifying definitions and implementing previously identified technical amendments.

Background Information

Staff Report from Executive Director, Municipal Licensing and Standards

(<http://www.toronto.ca/legdocs/mmis/2009/ls/bgrd/backgroundfile-23801.pdf>)

Licensing and Standards Committee Report - Meeting No. 24
For City Council Consideration on October 26, 2009

Submitted Thursday, October 8, 2009

Councillor Howard Moscoe, Chair, Licensing and Standards Committee