



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**Proposed Amendment to Municipal Code Chapter 545
Licensing to License Driveway Paving Contractors**

Date:	May 2, 2011
To:	Licensing and Standards Committee
From:	City Solicitor
Wards:	All Wards
Reason for Confidential Information:	This report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

This report provides legal advice regarding the proposal to amend Municipal Code Chapter 545 Licensing to license driveway paving contractors. This report is submitted to be considered in tandem with the report from the Executive Director, Municipal Licensing and Standards (Item LS3.2).

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council receive Confidential Attachment 1 for information; and
2. the Confidential Attachment 1 remain confidential in its entirety as the content relates to solicitor-client privilege.

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

On March 10, 2010, the Licensing and Standards Committee:

1. received a report dated February 24, 2010 from the Executive Director, Municipal Licensing and Standards regarding licensing driveway paving contractors:
<http://www.toronto.ca/legdocs/mmis/2010/ls/bgrd/backgroundfile-27925.pdf>
2. referred the report (February 24, 2010) from the Executive Director, Municipal Licensing and Standards to the Public Works and Infrastructure Committee for their consideration, specifically to implement a harmonized permitting process citywide for driveway paving that will address zoning issues related to driveway paving when reviewing the proposed harmonized Right-of-Way By-law.
3. requested the Executive Director, Municipal Licensing and Standards to:
 - a. report to the Licensing and Standards Committee on a by-law to license paving contractors to ensure that they work in a safe manner and respect all City by-laws and various codes and have sufficient liability insurance on private and public property.
 - b. in consultation with appropriate City staff, report to the Licensing and Standards Committee on a proposal to reduce the cost of a paving permit so that it would not discourage persons from obtaining a permit, such fee to be on a cost recovery basis including the fees generated from the licence fee.

COMMENTS

Confidential Attachment 1 outlines the legal issues related to the proposed amendments.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS