



*City Councillor – Ward 17 • Davenport*

January 19, 2015

TO: Members of the Licensing & Standards Committee

RE: **A COMPREHENSIVE REVIEW OF CHAPTER 545 OF THE MUNICIPAL CODE**

Dear Committee Members:

As Chair of the Licensing and Standards Committee, my main responsibility is to ensure that business licensing and permitting issuance are undertaken by focussing on consumer protection, health and safety, and regulatory processes that are comprehensive and modernized. To do this, I am joining Mayor John Tory's vision to take bold and innovative action to address critical challenges that our City faces, that is, to ensure that our City is more livable, affordable, functional, and conducive to do business by eliminating unnecessary regulations and red-tape, therefore, I'm asking for your support to initiate a comprehensive review of the Municipal Code Chapter 545 – Licensing (the "Bylaw").

**Background:**

Chapter 545 of the Municipal Code is the primary Licensing Bylaw for the City of Toronto. In many ways, the Bylaw has become a frustrating impediment to small business and an embarrassing example of municipal red-tape. A comprehensive review is long overdue.

This motion asks the Executive Director of Municipal Licensing and Standards to report back to this Committee with a proposed framework and timetable that recognizes the importance of a comprehensive review of the Bylaw that reflects regulatory and permitting processes of the 21<sup>st</sup> century.

It is my intent that this review includes **relevant provisions** of the Toronto Municipal Code Chapter 545, changes must be drastic and result in a Bylaw that is comprehensive, modern, understandable, and half (or less) its current size.

Some examples of why this review is overdue include:

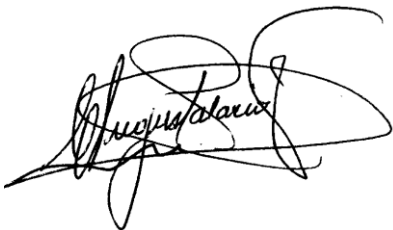
- The Bylaw requires a license for a number of antiquated, archaic and obsolete things that should be revisited. For example the license requirement for:
  - "Every person who sells fresh horse meat in quantities less than by the quarter carcass." Ch. 545-2(23)

- “Every person who owns or keeps any exhibition of wax works, menagerie, circus-riding or other like show usually exhibited by showmen.” Ch. 545-2(15)
  - “Every proprietary club (as defined by the Municipal Act), which directly or indirectly keeps or has in its possession or on its premises any billiard, pool or bagatelle table.” Ch. 545-2(32), The Municipal Act, on the above-noted examples, no longer even contains such a definition.
- The Bylaw includes a license requirement for over 60 types of businesses, some of which are an empty, meaningless requirement because the Bylaw contains no other significant accompanying standards –specifically for those who hold such a license. In other words: a license is essentially required merely for the sake of having a license. This also creates a false sense of security among the public who may assume that the holder of such licenses are held to significant standards, which they often are not. In comparison: the City of Ottawa’s licensing bylaw requires a municipal license for only 16 types of businesses.
  - The Bylaw includes a license requirement for many professions that are now more strictly professionally or Provincially regulated, making the requirement for a municipal business license redundant.
  - The Bylaw’s onerous regulatory regime is not flexible, nor conducive to efficient and effective business practices that allows easy access to use existing technologies to apply for or renew business licenses online, which must be considered.

In essence, the Bylaw should be reviewed clause by clause and each requirement and type of business license must be justified as why it is there, and if those reasons are still relevant and sensible.

### **Recommendations:**

1. The Executive Director, Municipal Licensing and Standards report back to the Licensing and Standards Committee with recommendations on a comprehensive framework review of Chapter 545 of the Municipal Code, no later than the 2<sup>nd</sup> quarter of 2015 and the final report by the 4<sup>th</sup> quarter of 2015.
2. That the Licensing and Standards Committee request the Executive Director, Municipal Licensing and Standards as part of her review of Chapter 545 – Licensing ensure that the City's regulatory regime accurately reflects the current business environment. Specifically, to streamline processes, encourage the use of technology to make it easier for businesses to operate in Toronto.



Cesar Palacio

Toronto City Council – Ward 17

cc— Mayor John Tory

Tracey Cook, Executive Director, Municipal Licensing & Standards

Carleton Grant, Director, Policy & Strategic Support, Municipal Licensing & Standards

Mr. Luke Robertson, Senior Advisor, Council & Stakeholder Relations, Mayor's Office