



Licensing and Standards Committee

Meeting No.	11	Contact	Kelly McCarthy, Committee Administrator
Meeting Date	Wednesday, January 25, 2012	Phone	416-397-7796
Start Time	9:30 AM	E-mail	lsc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Cesar Palacio

LS11.1	ACTION	Referred		Ward:All
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Clothing Drop Boxes

Committee Decision

The Licensing and Standards Committee referred this item to the Executive Director, Municipal Licensing and Standards, to report to the September 21, 2012 meeting of the Licensing and Standards Committee on the feasibility of a revised Clothing Drop Box by-law that either bans all drop boxes, or allows drop boxes and includes the following conditions:

1. Is comprehensive in that it licenses all clothing drop boxes within the City of Toronto with no exemptions.
2. Requires each box to display a sticker which is affixed to the box, must be renewed periodically and which clearly indicates that the box is licensed by the City of Toronto and meets the following conditions:
 - a. Each box displays the municipal address of the property on which the box is located.
 - b. Each box has the written permission of the owner of the property to be located on that property.
 - c. A requirement that the box be emptied on a regular basis and be free of graffiti and otherwise maintained in an acceptable manner.
 - d. That the operator shall maintain the property in the immediate vicinity of the box in a clean and tidy manner, free of litter and debris.
 - e. Displays the name and phone number that people can call for complaints

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3. The license fee be priced on a full cost recovery basis.
4. The by-law include provision for impounding boxes that do not meet these requirements, including the possibility of recovering costs for removing them from the land owner's property taxes.
5. The feasibility of having each property owner where a box is located provide a 'permission to remove' authorization to be used by the City at its discretion.
6. A plan to remove clothing boxes from municipal property, including the cost, and when and how they can be removed.

Origin

(October 27, 2011) Report from the Acting Executive Director, Municipal Licensing and Standards

Summary

The purpose of this report is to update the Licensing and Standards Committee on the effectiveness of existing by-laws governing the licensing and maintenance of clothing drop boxes as well as the effectiveness of the City's enforcement practices.

On January 1, 2007 the City of Toronto enacted by-laws regarding the licensing of clothing drop box operators (Toronto Municipal Code, Chapter 545), and the standards to which these clothing drop boxes and the surrounding area are to be maintained (Toronto Municipal Code, Chapter 629).

Municipal Licensing and Standards (MLS) enforces the regulations surrounding clothing drop boxes used by both for-profit and non-profit organizations for the purpose of collecting clothing donated by the public on an on-going basis.

It is the intention of the Division to consider changes to the Clothing Drop Box By-law within the parameters of reviewing the Licensing By-law in 2012.

Background Information

(October 27, 2011) Report from the Acting Executive Director, Municipal Licensing and Standards, on Clothing Drop Boxes

<http://www.toronto.ca/legdocs/mmis/2012/ls/bgrd/backgroundfile-43490.pdf>

Communications

(January 16, 2012) Presentation from Tony Genco, DYN Exports Inc. (LS.Main.LS11.1.1)

(January 17, 2012) Letter from Marc Nanthakumar, President, DYN Exports

Inc. (LS.Main.LS11.1.2)

(January 25, 2012) Submission from Howard Moscoe (LS.New.LS11.1.3)

Speakers

Tony Genco, DYN Exports (Submission Filed)

Marc Nanthakumar, President, DYN Exports (Submission Filed)

Howard Moscoe (Submission Filed)

Councillor Shelley Carroll

Councillor Mike Del Grande

Motions

Motion to Refer Item moved by Councillor Cesar Palacio (Carried)

That this matter be referred to the Executive Director, Municipal Licensing and Standards, to report to the September 21, 2012 meeting of the Licensing and Standards Committee on the feasibility of a revised Clothing Drop Box by-law that either bans all drop boxes, or allows drop boxes and includes the following conditions:

1. Is comprehensive in that it licenses all clothing drop boxes within the City of Toronto with no exemptions.
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 - a. Each box displays the municipal address of the property on which the box is located.
 - b. Each box has the written permission of the owner of the property to be located on that property.
 - c. A requirement that the box be emptied on a regular basis and be free of graffiti and otherwise maintained in an acceptable manner.
 - d. That the operator shall maintain the property in the immediate vicinity of the box in a clean and tidy manner, free of litter and debris.
 - e. Displays the name and phone number that people can call for complaints.
3. The license fee be priced on a full cost recovery basis.
4. The by-law include provision for impounding boxes that do not meet these requirements, including the possibility of recovering costs for removing them from the land owner's property taxes.
5. The feasibility of having each property owner where a box is located provide a 'permission to remove' authorization to be used by the City at its discretion.

6. A plan to remove clothing boxes from municipal property, including the cost, and when and how they can be removed.

LS11.2	ACTION	Deferred		Ward:All
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Investigating the Feasibility of Allowing Backyard Hens in Toronto

Committee Decision

The Licensing and Standards Committee deferred the item indefinitely.

Origin

(December 6, 2011) Member Motion from City Council

Summary

City Council on November 29, 30 and December 1, 2011, referred Motion MM14.8 to the Licensing and Standards Committee.

In response to a growing local urban agriculture movement and desire by people to have greater control over their food supply, an increasing number of municipalities across North America have removed restrictions on the keeping of hens in urban areas. The cities which have modified their regulations include Vancouver, New York, Cleveland, Los Angeles and Kingston, Ontario.

The experiences of these cities have highlighted that residents can successfully keep a limited number of hens in their backyard in balance with the need to maintain the community's quality of life by establishing appropriate regulations that govern potential issues such as noise, odour, separation distances, selling of eggs, and waste disposal.

In Toronto, there are a number of residents who wish to keep hens in their backyards for the purposes of producing eggs for personal consumption but existing by-laws prohibit the keeping of chickens in Toronto. Backyard hens can be kept in a safe and appropriate manner that limits the potential for nuisances and public health concerns and City Council should give consideration to allowing residents to legally keep hens.

Therefore we recommend that City Council direct staff to prepare a report outlining a strategy that will allow residents to keep backyard hens in a safe and appropriate manner.

(Submitted to City Council on November 29, 30 and December 1, 2011 as MM14.8)

Background Information

(December 6, 2011) Referral of Member Motion by City Council on Investigating the Feasibility of Allowing Backyard Hens in Toronto

(<http://www.toronto.ca/legdocs/mmis/2012/ls/bgrd/backgroundfile-44346.pdf>)

Communications

- (November 28, 2011) E-mail from Michelle Treacy (LS.Main.LS11.2.1)
- (November 30, 2011) E-mail from Josie Erent (LS.Main.LS11.2.2)
- (January 24, 2012) E-mail from Mary-Jill Blackman (LS.New.LS11.2.3)
- (January 24, 2012) Petition from Animal Alliance and AAEV Party of Canada with 45 signatures (LS.New.LS11.2.4)
- (January 24, 2012) E-mail from Charmaine Cartier (LS.New.LS11.2.5)
- (January 24, 2012) E-mail from Deborah Chalmers (LS.New.LS11.2.6)
- (January 24, 2012) E-mail from Lea Shayuk (LS.New.LS11.2.7)
- (January 24, 2012) E-mail from Lia Laskaris (LS.New.LS11.2.8)
- (January 24, 2012) E-mail from Barbi Lazarus (LS.New.LS11.2.9)
- (January 24, 2012) E-mail from Erika Ritter (LS.New.LS11.2.10)
- (January 24, 2012) E-mail from Kate Hawkins (LS.New.LS11.2.11)
- (January 24, 2012) Letter from Liz White, Animal Alliance/Environment Voters (LS.New.LS11.2.12)
- (January 24, 2012) E-mail from Irene Dolik and John Dolik (LS.New.LS11.2.13)
- (January 24, 2012) E-mail from Peter E Davenport (LS.New.LS11.2.14)
- (January 24, 2012) E-mail from Jonathan Choi (LS.New.LS11.2.15)
- (January 24, 2012) E-mail from Trish O'Reilly-Brennan (LS.New.LS11.2.16)
- (January 24, 2012) E-mail from Christine Grimmond (LS.New.LS11.2.17)
- (January 24, 2012) E-mail from Brigitte Vander Knaap (LS.New.LS11.2.18)
- (January 24, 2012) E-mail from Brenda MacDougall (LS.New.LS11.2.19)
- (January 24, 2012) E-mail from Hilary Dempsey and Domenic Montagano (LS.New.LS11.2.20)
- (January 24, 2012) E-mail from James Brazier (LS.New.LS11.2.21)
- (January 25, 2012) E-mail from Mark Windsor (LS.New.LS11.2.22)
- (January 25, 2012) E-mail from Amy Simon (LS.New.LS11.2.23)
- (January 25, 2012) E-mail from Audrey Duff (LS.New.LS11.2.24)
- (January 25, 2012) E-mail from Dianne Griffith (LS.New.LS11.2.25)

Speakers

Lorraine Johnson

Darlene Litman

Catherine Mah, Assistant Professor, University of Toronto

Matthew Patel

Andrew Patel

Liz White, Animal Alliance/Environment Voters (Submission Filed)

Stephanie Brown, Canadian Coalition for Farm Animals

~~Stephanie Brown~~

KEVIN HEWITT
 Jack Hewitt
 Lily Hewitt
 Georgia Hewitt
 Councillor Joe Mihevc
 Councillor Mary-Margaret McMahon
 Councillor Sarah Doucette

Motions

Motion to Defer Item Indefinitely moved by Councillor Frances Nunziata (Carried)

Vote (Defer Item Indefinitely)

Jan-25-2012

Result: Carried	Majority Required
Yes: 5	Glenn De Baeremaeker, Chin Lee, Gloria Lindsay Luby, Frances Nunziata, Cesar Palacio (Chair)
No: 0	
Absent: 1	Anthony Perruzza

LS11.3	ACTION	Adopted		Ward:All
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Amendments to Toronto Municipal Code Chapter 693, Article III, Temporary Signs and Chapter 441, Fees and Charges

Public Notice Given

Committee Recommendations

The Licensing and Standards Committee recommends that:

1. City Council amend Toronto Municipal Code Chapter 693, Article III, Temporary Signs, substantially in accordance with the draft by-law in Appendix 'A', attached to the report (January 11, 2012) from the Executive Director, Municipal Licensing and Standards.
2. City Council amend Appendix C, Schedule 12 of Toronto Municipal Code, Chapter 441, Fees and Charges, substantially in accordance with the draft by-law in Appendix 'A', attached to the report (January 11, 2012) from the Executive Director, Municipal Licensing and Standards.
3. City Council authorize the City Solicitor to prepare the necessary Bills for introduction in Council to implement the above recommendations, subject to such stylistic and technical changes to the draft bills as may be required.

Origin

Origin

(January 11, 2012) Report from the Executive Director, Municipal Licensing and Standards

Summary

The purpose of this report, as directed by City Council, is to review and make recommendations to the Licensing and Standards Committee on various amendments to Chapter 693, Article III, Temporary Signs, concerning temporary signs utilized in relation to the marketing, promotion or advertising of the construction, development, sale, rent or lease of premises or property in order to prevent potential conflicts with any regulations in Chapter 694, Signs, General, respecting such signs.

Municipal Licensing and Standards (MLS) was also directed to consider strategies for incorporating the provision of temporary public art that excludes third-party advertising of any kind, such as murals on construction hoarding, where appropriate, as an ameliorative measure in the public realm.

MLS also took this opportunity to recommend further amendments to Chapter 693 with the intent of adding clarity to the Temporary Signs Article.

Toronto Building Sign By-law Unit, Transportation Services, and Legal Services were consulted in the preparation of this report.

Background Information

(January 11, 2012) Report from the Executive Director, Municipal Licensing and Standards, on Amendments to Toronto Municipal Code Chapter 693, Article III, Temporary Signs and Chapter 441, Fees and Charges

<http://www.toronto.ca/legdocs/mmis/2012/ls/bgrd/backgroundfile-44347.pdf>

Motions

Motion to Adopt Item moved by Councillor Frances Nunziata (Carried)

LS11.4	ACTION	Deferred		Ward:All
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Report Request on Amending Chapter 629-38, Property Standards, Heating and Air Conditioning

Committee Decision

The Licensing and Standards Committee deferred the item indefinitely.

Origin

(December 20, 2011) Memo from Councillor Joe Mihevc, Ward 21 St. Paul's

(December 20, 2011) Memo from Councillor Joe Mihevc, Ward 21 St. Paul's

Summary

The dates for mandatory heating and cooling requirements as outlined in Chapter 629 of the Municipal Code, were selected based on long-term climate trends (i.e. last 30 years) as opposed to recent trends. This was done to mitigate the impact of short-term variability that is often seen in our weather patterns.

That being said, there is growing evidence showing that global warming is affecting our long-term climate.

Constituents in Ward 21, who rent apartments, have noted that the current requirements lead to unnecessary discomfort. Changing the current requirements to better reflect more recent climate trends could lead to more comfortable home environments as well as reduced energy consumption.

Background Information

(December 20, 2011) Memo from Councillor Joe Mihevc, Ward 21 St. Paul's, on Report Request on Amending Chapter 629-38, Property Standards, Heating and Air Conditioning (<http://www.toronto.ca/legdocs/mmis/2012/ls/bgrd/backgroundfile-44348.pdf>)

Speakers

Councillor Joe Mihevc

Motions

Motion to Defer Item Indefinitely moved by Councillor Gloria Lindsay Luby (Carried)

LS11.5	ACTION	Referred		Ward:All
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Natural Garden Exemptions - Request for Report

Committee Decision

The Licensing and Standards Committee referred the item to the Executive Director, Municipal Licensing and Standards, with the request to report to the May 25, 2012 meeting on:

1. The feasibility of providing notification to area residents when a request for a Natural Garden Exemption is to be considered by Community Council and criteria as to who should be notified.
2. Revising the fees for Natural Gardens to include a re-inspection fee for the costs incurred by the City as a result of these re-inspections, in consultation with the General

Manager, Parks, Forestry and Recreation.

3. The feasibility of amendments to existing bylaws to stipulate that Natural Garden Exemptions are only effective until such time that the property with the exemption changes ownership.

Origin

(January 18, 2012) Letter from Councillor Frances Nunziata, Ward 11 York South-Weston

Summary

At the January 10, 2012 meeting of Etobicoke York Community Council, in considering Natural Garden Exemption requests, there was discussion around changes to existing bylaws and practices that may be appropriate to better inform the public of these types of requests, ensure full cost recovery to the City for inspections related to Natural Gardens and clarify when these exemptions are no longer applicable.

Currently, when one requests an exemption to Chapter 489, Grass and Weeds, on the basis that the lands in question form a Natural Garden, a report is submitted to the appropriate Community Council, with only the complainant notified of the request for an exemption. This means that a neighbour, who may have issue with the current state of the lands but was not the one to formally report this to the City would not be aware of the exemption request and consequently would not have an opportunity to submit comments to the Community Council for consideration. Changes should be made to this practice so that at a minimum, the immediately surrounding neighbours are notified when there is a request for a Natural Garden Exemption.

At Etobicoke York Community Council we learned that when it is contended by the owner of a property that the growth on their lands forms a Natural Garden, a referral is made by Municipal Licensing and Standards (MLS) to Parks, Forestry and Recreation (PFR) for inspection of the property to see if it qualifies as a Natural Garden. Staff may have to attend the property numerous times for re-inspection; however, unlike re-inspections conducted by MLS wherein re-inspection fees can be charged to recover costs, there are no bylaws in place to allow for re-inspection fees to be charged when PFR staff must re-inspect Natural Gardens. Provisions should be made so that the City can recover the costs incurred for these re-inspections.

Finally, there is currently no definitive timeframe as to when a Natural Garden Exemption expires. If a property owner applies for this type of exemption, it may be beneficial to stipulate that this type of exemption is only effective until such time that the property changes ownership.

Background Information

(January 18, 2012) Letter from Councillor Frances Nunziata, Ward 11 York South-Weston

(January 18, 2012) Letter from Councillor Frances Nunziata, Ward 11 York South-Weston
<http://www.toronto.ca/legdocs/mmis/2012/ls/bgrd/backgroundfile-44663.pdf>

Motions

1 - Motion to Add New Business at Committee moved
 by Councillor Frances Nunziata (**Carried**)

2 - Motion to Refer Item moved by Councillor Frances Nunziata (**Carried**)

That the Licensing and Standards Committee refer the item to the Executive Director, Municipal Licensing and Standards, with an amendment to recommendation 2, so that it reads:

"2. Revising the fees for Natural Gardens to include a re-inspection fee for the costs incurred by the City as a result of these re-inspections, in consultation with the General Manager, Parks, Forestry and Recreation."

Procedural Motions

1 - Motion to Adopt Minutes moved by Councillor Gloria Lindsay Luby (**Carried**)

That the minutes of the November 14, 2011 meeting of the Licensing and Standards Committee be adopted.

2 - Motion to Recess moved by Councillor Glenn De Baeremaeker (**Carried**)

That the Licensing and Standards Committee recess for three minutes before hearing deputants on LS11.2.

Wednesday, January 25, 2012

Councillor Cesar Palacio, Chair, Licensing and Standards Committee

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2012-01-25	Morning	9:38 AM	11:15 AM	Public
2012-01-25	Morning	11:20 AM	12:30 PM	Public
2012-01-25	Afternoon	1:41 PM	3:00 PM	Public

Attendance

Members were present for some or all of the time period indicated.

Date and Time	Quorum	Members
2012-01-25 09:38 AM - 11:15 AM (Public Session)	Present	<i>Present:</i> Glenn De Baeremaeker, Chin Lee, Gloria Lindsay Luby, Frances Nunziata, Cesar Palacio (Chair) <i>Not Present:</i> Anthony Perruzza <i>Also present (non-members):</i> Shelley Carroll, Sarah Doucette, Mike Del Grande, Mary-Margaret McMahon

2012-01-25 11:20 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Glenn De Baeremaeker, Chin Lee, Gloria Lindsay Luby, Frances Nunziata, Cesar Palacio (Chair) <i>Not Present:</i> Anthony Perruzza <i>Also present (non-members):</i> Sarah Doucette, Mary-Margaret McMahon, Joe Mihevc
2012-01-25 01:41 PM - 03:00 PM (Public Session)	Present	<i>Present:</i> Glenn De Baeremaeker, Chin Lee, Gloria Lindsay Luby, Frances Nunziata, Cesar Palacio (Chair) <i>Not Present:</i> Anthony Perruzza <i>Also present (non-members):</i> Sarah Doucette, Mary-Margaret McMahon, Joe Mihevc