

**CITY OF VAUGHAN
SPECIAL COUNCIL MINUTES
NOVEMBER 21, 2005**

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CITY OF VAUGHAN

SPECIAL COUNCIL MEETING

MONDAY, NOVEMBER 21, 2005

MINUTES

7:24 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 7:24 p.m. Notice for this meeting had been provided.

The following members were present:

Mayor Michael Di Biase, Chair
Regional Councillor Mario F. Ferri
Regional Councillor Linda D. Jackson
Councillor Tony Carella
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

249. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT the agenda be confirmed.

CARRIED

250. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

251. COMPREHENSIVE LICENSING BY-LAW

No one appeared either in support of or in opposition to this matter.

MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

THAT the recommendation contained in the following report of the City Clerk, dated November 21, 2005, be approved:

CARRIED

Recommendation

The City Clerk in consultation with the Manager of Special Projects, Licensing and Permits and the Solicitor/Special Services recommends:

1. That Council adopt the reasons for licensing and imposing conditions on classes of businesses and activities as set out in Attachment No. 1 to this Report, in accordance with the requirements of subsection 150(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

2. That Council enact a new comprehensive Licensing By-law for the five-year period commencing January 1st, 2006, as required by subsections 150(13) and 457(1)(a) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended and repeal By-law Number 2-2001, as amended; and
3. That input from the public be received and taken into consideration.

Economic Impact

Not Applicable.

Purpose

The purpose of this report is for Council to enact a new five-year comprehensive Licensing By-law and confirm the reasons for licensing and imposing conditions on various classes of businesses or activities carried on within the municipality, as required by subsections 150(13) and 457(1)(a) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

Background - Analysis and Options

The current comprehensive Licensing By-Law Number 2-2001, as amended, which licenses, regulates and governs businesses, activities and undertakings carried on in the City of Vaughan, in accordance with the transition provisions at subsection 457(1)(a) of the new *Municipal Act, 2001*, will expire on January 1st, 2006. The City is required to enact its new licensing by-law on or before January 1st, 2006 for the next five (5) year period. In accordance with the requirements of the Act and the City's Notice By-law, By-law Number 394-2002, notice of a public meeting to be held on November 21, 2005, to consider this By-law has been given to the public.

Five years ago, the City carried out an in-depth review of its various separate licensing by-laws, resulting in the enactment of the current comprehensive Licensing By-law. The current by-law consolidated a number of separate licensing by-laws that had been enacted over the prior decades. The proposed comprehensive Licensing By-law for the upcoming five years contains few substantive amendments. The proposed new five-year Licensing By-law complies with some additional procedural requirements in the *Municipal Act, 2001* and consolidates recent amendments to By-law Number 2-2001 as well as provisions related to the Licensing Committee established by Council in May, 2005,

One of the new requirements imposed by subsection 150(3) the *Municipal Act, 2001*, requires that the City include an explanation of the reasons the municipality is licensing and imposing conditions on various classes of businesses or activities to establish a relationship with the purposes for licensing contained in subsection 150(2) of the Act. The general purposes for licensing as provided in subsection 150(2) of the Act include health and safety, nuisance control and consumer protection.

In an effort to comply with the new requirements, staff has undertaken a comprehensive review of each class of business and the reasons for licensing or imposing conditions. A summary of the reasons for licensing the classes together with imposing conditions is attached to this report (Attachment No. 1). These reasons are listed beside the relevant purposes as set out in the Act as shown in the summary. The explanation of the reasons for licensing each class of business or activity and imposing conditions is incorporated into a new schedule, Schedule A, to be appended to the new five-year Licensing By-law.

In addition as noted above, and as previously reported to Council on May 24, 2005, subsection 150(8) of the Act limits the authority to Council to refuse, revoke or suspend licenses and to impose conditions on licenses. In keeping with Council's decision approving the appointment of a Committee of Council (the "Licensing Committee") that will conduct all licensing hearings and make its recommendation to Council, the relevant sections have been added to the proposed new Licensing By-law to implement this decision. These provisions include sections related to the composition and

powers of the Licensing Committee and Council, and related to procedural matters including notice requirements and how hearings are to be conducted by the Committee.

In addition to the above proposed amendments, in the course of the review of the proposed new Licensing By-law, administrative amendments or improvements have been incorporated into some sections for clarity and to eliminate any duplications of requirements related to, for example, applications for licences.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set by Council and the necessary resources have been allocated and approved.

Conclusion

Staff recommends that a new comprehensive Licensing By-law be enacted so as to comply with the requirements of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

Attachments

1. Summary of Reasons for Licensing and Imposing Conditions on Classes of Businesses or Activities.

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance –Risk Management

Carolyn P. Stobo
Solicitor/Special Services

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

252. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT By-law Number 302-2005, being a by-law to confirm the proceedings of Council at its meeting on November 21, 2005, be read a First, Second and Third time and enacted.

CARRIED

253. ADJOURNMENT

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT the meeting adjourn at 7:30 p.m.

CARRIED

Michael Di Biase, Mayor

Sybil Fernandes, Deputy City Clerk