

Date: 2023-09-08

Subject: **New Stationary Business Licensing By-Law**

Contact: **Janice Adshead, Deputy Clerk**

Report Number: Legislative Services-2023-812

Recommendations:

1. That the report from Janice Adshead, Deputy Clerk to the Committee of Council Meeting on October 11, 2023, re. **New Stationary Business Licensing By-Law**, be received; and,
2. That a new stationary business licensing by-law, as substantially set out in Appendix 1 to this report, be enacted to replace the Business Licensing By-Law 332-2013, as amended; and,
3. That the Business Licensing By-Law 332-2013, as amended, be repealed.

Overview:

- **City staff have undertaken a major review of licensing requirements for stationary businesses, as currently exists within Business Licensing By-law 332-2013, as amended.**
- **Internal and external regulatory stakeholders have been consulted in drafting the new Stationary Business Licensing By-Law.**

Background:

The *Municipal Act, 2001* provides that municipalities may establish a system for licensing businesses. The City of Brampton has had a licensing by-law since its inception in 1974. The most recent licensing by-law, By-Law 332-2013, has not had a comprehensive review; however, there have been a number of amendments passed dealing with housekeeping and specific licensing provisions.

Licensing of stationary businesses is administered by the City Clerk's Office of the Legislative Services Department. The City currently issues in excess of 4000 stationary business licences per year.

Current Situation:

Staff has undertaken a comprehensive review of By-law 332-2013, to address the following with respect to stationary business licensing:

- Clarity and consistency of language;
- Ensure the needs of internal and external regulatory stakeholders are met;
- Provide consistency and fairness among like businesses;
- Provide updated reference to legislation
- Provide updated terminology and definitions
- Achieve some consistency with like municipalities inside and outside of the GTA.

Staff has consulted extensively with internal and external stakeholders, including:

- Internal
 - Planning, Building and Growth Management (Zoning)
 - Legal Services
 - Enforcement and By-law Services
 - Risk and Insurance Management
 - Animal Services
 - Fire and Emergency Services
- External
 - The Region of Peel

Staff recommends licensing of the following types of businesses, not currently covered by Licensing By-law 332-2013:

- Outdoor storage facilities
- Pet grooming businesses
- Caterers
- Out-of-town car rentals

Staff recommends that the Licensing of Animal Kennels or Doggie Daycares is being moved from Animal Services to Business Licensing.

As a result of research, staff further recommends that:

- Schedules be updated to include:

- Updated language related to excessive noise or other emissions from motor vehicles to reflect and align with recent changes in the Public Nuisance By-law;
- Maximum fees for parking of vehicles at service stations;
- Reduced number of days for which security deposits are held for Driveway paving contractors from 180 days to 90;
- Various classes of Fixed Food Licences to differentiate requirements for bakeries, cafeterias, coffee shops, convenience stores, grocery stores; restaurants, and residential food preparation businesses;
- Allowance of alcohol to be served in AGCO approved Places of Amusement;
- Updated language related to Pool Contractors, and their requirements under the by-law;
- Updated scope of Tobacco Retailer to include tobacco, cigars, cigarettes, electronic cigarettes and/or vapour products; and,
- Requirements that vehicle pound facilities ensure the vehicle owner is able to access and obtain the release of the vehicle or its contents at the vehicle owners convenience.
- The rate for business licences for Salvage Yards be increased from \$282 to \$475.

Current licence fees have remained steady or were temporarily reduced during the pandemic. In a continued effort to assist businesses that are still recovering, staff are recommending that licence fees remain the same for the 2024 licensing period, and going forward into 2025 and beyond, establish automatic annual percentage increases rounded to the nearest dollar based on the Consumer Price Index.

Stationary business licences issued under current By-law 332-2013 are valid for one year, and have pre-determined renewal dates.

The attached by-law has been drafted by staff from the City Clerk's Office, Legal Services, and Enforcement and By-law Services, taking into account feedback received from internal and external stakeholders.

Corporate Implications:

Financial Implications:

nil

Other Implications:

nil

Strategic Focus Area:

This report reinforces the Strategic Focus Area of Health and Well-being – Improving Safety, by enacting a business licensing by-law which strives to protect the health, safety and well-being of persons, protect consumers and control nuisance.

Conclusion:

This report recommends a new business licensing by-law to update some licensing provisions and reflect recommendations from internal City Departments and the Region of Peel. Much of the existing by-law remains substantially the same, but for simplicity purposes, staff recommend repealing the existing by-law and replacing with a new by-law, substantially in a form as set out in this report.

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Attachments:

Appendix 1 - Draft New Stationary Business Licensing By-Law