



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Valerie Petryniak, Deputy Clerk – Administration & Special Projects

DATE: May 29, 2020

REPORT NO.: ADMIN-2020-0011

RE: Proposed Changes to Business Licensing By-law 2005-0067

RECOMMENDATION:

THAT Report No. ADMIN-2020-0011 dated May 29, 2020 regarding proposed changes to Business Licensing By-law 2005-0067, be received;

AND FURTHER THAT Council approve the deletion of Schedule No. 11 (Pet Care and Breeding Service Establishment) of Business Licensing By-law 2005-0067, to be replaced by a new Schedule 'E';

AND FURTHER THAT Council approve the deletion of Schedule No. 5 (Non-Store Direct Selling) of Business Licensing By-law 2005-0067, to be replaced by new Schedule 'F';

AND FURTHER THAT Council approve the deletion of Schedule No. 9 (Specialty Trade Contractor) of Business Licensing By-law 2005-0067, to be replaced by new Schedule 'G';

AND FURTHER THAT Council approve the removal of Golf Courses from the Amusement & Recreation Schedule B and add it as Golf Club House to Food Business, Schedule C and that staff revise both schedules to reflect this change;

AND FURTHER THAT Council adopt the new Schedules E, F, and G and revised Schedules B and C to By-law 2005-0067.

BACKGROUND:

Report No. CS-2015-0030 outlined the recommended changes to Business Licensing By-law 2005-0067 and was adopted by Council on May 12, 2015. It stated in the report that staff are to bring forward a report for each category and the respective schedules that need to be changed. This report will address the schedules for the Pet Care Establishments, Non-Store Direct Selling and Specialty Trade Contractor categories.

This report will also address the re-categorization of Golf Courses from the Amusement & Recreation category and add as Golf Club House to the Food Business category.

COMMENTS:

Pet Care Establishment – Previously Schedule No. 11 – New Schedule ‘E’

The new Schedule E (Appendix A) of Business Licensing By-law 2005-0067 relates to Pet Care Establishments such as Kennels and Pet Store/Shops. There have been no additions to this schedule of the by-law. Changes were mainly housekeeping amendments which included re-numbering of the schedule and clarifying definitions. Requirements for this schedule address the conditions of the premises the animals must be kept in and the conditions the animals themselves must be kept (ie., free from sickness and disease) One small amendment to this schedule was the requirement that every person who is sold a dog is advised of the Town’s dog licensing requirements. All businesses in this category will be advised of this new requirement and staff will assist in delivering marketing material to business owners which they can pass along to their customers.

Non-Store Direct Selling – Previously Schedule No. 5 – New Schedule ‘F’

The new Schedule F (Appendix B) of Business Licensing By-law 2005-0067 encompasses different types of selling that do not occur in a building setting, with the exception of Pawnbrokers and Second Hand Good Stores. There have been slight amendments to this schedule of the by-law that will not have a negative impact on applicants. Changes were mainly housekeeping which included the re-numbering of the schedule and clarifying definitions.

The definition of “Temporary Event Sale” was amended to become “Temporary Event”. The removal of the word “sale” resulted in a broader definition which would allow the Town to licence events that would not fall within the Public Events criteria. The definition reads:

“Temporary Event” means the display, demonstration of products or services to the public at an event such as an exhibition, fair, carnival, festival, flea market, trade show, antique show, trunk sale, tournament sport event, concert, or any other similar Public event by two (2) or more participants or temporary vendors for a period of not exceeding seven (7) days in duration and is conducted and overseen by a Person, foundation, or an organization licensed under this By-law.

This schedule addresses temporary vendors, which include door-to-door sales. The Province banned door-to-door sales on March 1, 2018, however that was only for certain products and services. As there are still some products and services allowed to be sold door-to-door, staff were aware of the necessity to outline the manner in which the licensee would need to conduct themselves.

Section 17 outlines that no temporary vendor conducting door-to-door sales shall:

- a) solicit in an aggressive manner;
- b) threaten the person solicited with physical harm, by word, gesture or other means, during the solicitation or after the person solicited responds or fails to respond to the solicitation;
- c) use abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation;
- d) continue to solicit a person in a persistent manner after the person has responded negatively to the solicitation.

Specialty Trade Contractor – Previously Schedule No. 9 – New Schedule ‘G’

The new Schedule G (Appendix C) of Business Licensing By-law 2005-0067 relates to Specialty Trade Contractors which include, drain contractors, general contractors, HVAC and plumbers. Changes to this schedule were mainly housekeeping amendments which included re-numbering of the schedule and clarifying definitions.

We have approximately 160 licensed Special Trade Contractors in Halton Hills. Many of them have their business registered to their homes and don't have a commercial place of business. As a result, staff have received some complaints over the years regarding commercial vehicles parked in residential areas as well as equipment being stored in garages. Staff felt it necessary to clarify that obtaining a Specialty Trade Contractor licence does not constitute ignoring other by-law requirements for these matters and added the following:

- 4. No Licensee of a Specialty Trade Contractor shall store equipment or commercial vehicles, on Premises that will be in contravention of the Town's Zoning By-law or any other by-law.

Golf Courses

At the Council meeting on December 12, 2016, Council approved the new schedules for Amusement and Recreation, Schedule B; and Food Business, Schedule C. Golf Courses currently fall into the Amusement and Recreation schedule. After reviewing the licensing by-laws of other municipalities, staff observed that the few municipalities who licence golf courses are ones in which the courses are owned by the municipality. These by-laws regulate the hours of operation and use of the golf course. As all of the

golf courses in Halton Hills are privately owned, staff feel regulating just the Club House, similar to a restaurant licence would make more sense. Staff are suggesting removing Golf Courses from the Amusement and Recreation Schedule B and adding it as Golf Club House to the Food Business Schedule C. The requirements would remain the same; however the fee would be lowered to reflect the same that a restaurant would pay. Both schedules will be revised to reflect this change. (see Appendix D and E)

For the 2020-2021 licence, staff will use the Restaurant fee for a Food Business Licence as found in the 2020 Rates and Service Charges passed by Council on November 11, 2019. The new fee will be included in the 2021 Rates and Service Charges by-law.

RELATIONSHIP TO STRATEGIC PLAN:

These recommended changes relate to the Town's Strategic Plan to provide responsive, effective Municipal Government and efficient delivery of municipal services.

FINANCIAL IMPACT:

There will be a slight financial impact with the re-categorization of Golf Club's which will impact revenue by \$1015.00.

CONSULTATION:

Staff have consulted with the Clerk and Director of Legislative Services and the Acting Supervisor of Enforcement.

PUBLIC ENGAGEMENT:

The golf courses were notified by mail of the change affecting their licence category.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report does not advance the Strategy's implementation.

COMMUNICATIONS:

All businesses in these categories will be notified of the new by-law schedules.

CONCLUSION:

As part of the overall review process for Business Licensing By-law 2005-0067, staff are submitting new Schedules E, F and G and revised Schedules B and C for the Committee's consideration and recommendation to Council.

Reviewed and Approved by,

A handwritten signature in cursive script, appearing to read "Suzanne Jones".

Suzanne Jones, Clerk & Director of Legislative Services

A handwritten signature in cursive script, appearing to read "Brent Marshall".

Brent Marshall, Chief Administrative Officer