



Corporate Report

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DATE: April 4, 2007

TO: Planning and Development Committee
Meeting Date: April 16, 2007

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Licensing of Vehicle Pound Facilities**

RECOMMENDATION: That a by-law be enacted to amend By-law 0001-2006, to licence and regulate vehicle pound facilities following the necessary amendments to the Zoning By-law as enacted by Council.

BACKGROUND: On October 1, 2001, and October 2, 2006 the Planning and Development Committee considered reports regarding proposed amendments to the Mississauga Zoning By-law 5500, as amended, which would accommodate vehicle impound facilities subject to certain development criteria.

Enforcement staff have met with Planning and Building staff to discuss operational matters that are beyond the requirements of the use of land but are associated with the operation of the business. Enforcement staff has drafted amendments to the Business Licensing By-law to accommodate the licensing and regulating of vehicle pound facilities. Staff has scheduled the respective reports to the same meeting of the Planning and Development Committee.

COMMENTS: Following enactment of amendments to the Zoning By-law which are intended to reflect new land use standards for vehicle pound facilities,

staff believe it would be prudent to create a business licensing regime for this class of business operation. This report outlines the provisions of the proposed licensing schedule to the Business Licensing By-law 0001-2006.

The approved definition of a vehicle pound facility as found in the new Zoning By-law will be reflected in the licensing by-law.

General regulations will be provided related to the maintenance of the property such as keeping all buildings and fences in good repair, ensuring that all landscaped areas are well maintained, keeping the vehicle pound facility and any sidewalk or street upon which the premises abut, in a clean and neat condition, free from debris, snow, ice, dirt, rubbish or other foreign substances, including but not limited to tires and vehicle parts derived from the licensed premises or resulting from the use of the licensed premises. Further, the owner must comply with all relevant legislation pertaining to the storage and disposal of hazardous materials on the premises.

As with any fixed business licence issued, it will be a requirement that the licence applicant supply a copy of a Zoning Certificate for the location, indicating that the operation of the vehicle pound facility at the location is approved under the Zoning By-law. All other provisions contained in the Zoning By-law related to the operation of the business at the specific location must also be satisfied at the time of issuance. The licensing by-law will also contain a provision such that compliance with all aspects of the Zoning By-law must be maintained during the life of the business.

A storage fee will be defined to mean the fee or fees to be charged for the storage of a vehicle based upon a 24 hour period from the time the vehicle enters the vehicle pound facility and shall not include any fees not related to the storage of the vehicle. The by-law will also contain the following provision related the charging of the storage fee:

Ensure that where a daily Storage Fee is charged, it shall be based on a written log of each 24-hour period the vehicle has been held in storage or any part thereof. Charges shall commence from the time the vehicle is placed in the Vehicle Pound Facility.

The by-law will also contain provisions related the operation of the business, including provisions related to advertising and communicating the storage fee to a vehicle owner or agent similar to the following:

Ensure that the Vehicle Owner or his agent is aware of all Storage Fees to be charged in association with the storage of the Vehicle prior to the Vehicle entering the Vehicle Pound Facility, except where the storage of the Vehicle is the result of the Vehicle being seized by a Peace Officer.

Regulations will be provided related to the standard hours of operation, and mechanisms for the release of vehicles after normal hours such as:

Maintain a sign at the Vehicle Pound Facility, visible from the entrance to the Vehicle Pound Facility, detailing the daily hours of operation of the Vehicle Pound Facility, the telephone number to use for after hours vehicle release service and the Storage Fee to be charged for the storage of a Vehicle;

Ensure that sufficient staff are available during normal business hours as well as after hours, 365 days a year, to release a Vehicle;

Staff propose that the fee for this class of business be established at \$204.00 and \$199.00 for each renewal. This fee is aligned with other similar classes of business.

It should be noted that a salvage yard will not be included within the definition of a vehicle pound facility as this type of business is licenced as another class of business.

FINANCIAL IMPACT: Not Applicable.

CONCLUSION: Once the necessary amendments to the Zoning By-law are enacted by City Council to allow for a vehicle pound facility as a land use, Enforcement Division staff will finalize the amendments required for

enactment by Council to the Business Licensing By-law to licence and regulate this class of business.

Martin Powell, P. Eng.
Commissioner of Transportation and Works

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