

# City of Mississauga

## Corporate Report



Date: May 27, 2021

To: Mayor and Members of Council

From: Geoff Wright, P.Eng, MBA, Commissioner of  
Transportation and Works

Originator's files:

Meeting date:  
June 2, 2021

## Subject

**Amendment to the Business Licensing By-Law 01-2006 to Permit Outdoor Clothing Donation Drop Boxes on Properties Zoned Residential, subject to Minor Variance Approval**

## Recommendation

That a by-law to amend the City's Business Licensing By-law 01-2006, be enacted, to permit clothing donation drop boxes on those multi-residential properties zoned residential where a) an application for a minor variance has been approved by the Committee of Adjustment to permit its use, and b) proof of participation in the Region of Peel's textile collection program has been received by the Licence Manager as outlined in the report from the Commissioner of Transportation and Works dated May 27, 2021 under File BL.01.CLO.

## Executive Summary

- From June 2018 until March 2020, Region of Peel staff worked with City of Mississauga staff on a pilot project for the placement of outdoor clothing donation drop boxes at 45 Peel Living buildings and four private multi-residential locations.
- The pilot program successfully diverted 225 tonnes of textile materials from landfill. As a result, in February 2020 Region of Peel Council approved a larger scale rollout as part of the textile collection program across Mississauga, Brampton and Caledon and at regional locations.
- Eligible participants of the Region of Peel's textile collection program are multi-residential locations (i.e. apartments) and Peel Living sites only. This excludes commercial and institutional locations such as the Legion properties and single-family homes.
- To permit outdoor clothing donation drop boxes on select sites zoned residential, an amendment to the existing Business Licensing By-law 01-2006 is required. Currently, the City's Business Licensing By-law 01-2006 explicitly prohibits clothing donation

drop boxes on any property zoned residential.

- The existing Zoning By-law 225-07 only permits outdoor clothing donation drop boxes on land zoned for employment or commercial use; however, a minor variance may be obtained to permit the placement on land zoned residential through an application to the Committee of Adjustment.
- In order to obtain an outdoor clothing donation drop box licence on land zoned for use other than commercial or employment (Peel Living buildings and multi-residential locations), the charitable organization would be required to obtain a minor variance through the Committee of Adjustment and provide the City with proof of continued participation with the Region of Peel's textile collection program.

## Background

City of Mississauga staff are supportive of identifying waste diversion opportunities to help the Region of Peel meet its 75 per cent waste diversion target by 2034. From June 2018 until March 2020, Region of Peel staff worked with City of Mississauga staff on a pilot project for the placement of outdoor clothing donation drop boxes at 45 Peel Living buildings and four private multi-residential locations. The pilot program successfully diverted 225 tonnes of textile materials from landfill. As a result, in February 2020 Region of Peel Council approved a larger scale rollout as part of the textile bin collection program across Mississauga, Brampton and Caledon and at regional locations.

## Present Status

The requirement of business licensing for outdoor clothing donation drop boxes was in response to the proliferation of unregulated boxes in the City of Mississauga at commercial, institutional and residential locations. The Business Licensing By-law 01-2006 not only created regulations for outdoor clothing donation drop boxes, but also permitted the City's Compliance and Licensing Enforcement staff to remove those boxes not in compliance with the requirements. Section 4.2(2) of the Business Licensing By-law prohibits clothing donation drop boxes to be located on any property zoned residential.

To receive a business licence, persons must meet several additional requirements for placement of their outdoor clothing donation drop boxes according to Schedule 30 of the Business Licensing By-law 01-2006. These additional requirements include:

- only permitted in commercial and employment zones in accordance with the City's Zoning By-law 0225-2007;
- in locations six metres from a residential zone;
- located outside of any required landscaped areas; and
- cannot be located on any property owned or maintained by the City, on any required parking area or obstruct any required parking space.

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There are also requirements as part of the current Outdoor Clothing Donation Drop Box Business Licence terms and conditions that would continue to apply to the proposed amendment at multi-residential locations through the Region of Peel's textile collection program. The Business Licensing By-law 01-2006 requires that; every Licensee or Property Owner shall ensure that the clothing donation drop box is clean, in good repair, free of rust/graffiti and at all times is free of overflow and accumulation of goods left outside the clothing donation drop as well as all areas immediately adjacent to the clothing donation drop box. The donation drop boxes must also include the charity name, contact phone number, acceptable materials and service timing.

The existing Zoning By-law 225-07 only permits outdoor clothing donation drop boxes on land zoned for employment or commercial use; however, a minor variance may be obtained to permit the placement on land zoned residential through an application to the Committee of Adjustment. The minor variance process is completed through the Committee of Adjustment as a separate process from the Business Licensing By-law and is coordinated through Legislative Services. In order for an outdoor clothing donation drop box to be permitted on land other than commercial or employment zones, the applicant must complete a minor variance to address the City's Zoning By-Law 0225-2007. The minor variance process may also include additional conditions or restrictions imposed as part of the approval.

### Next Steps

City staff will be bringing forward a separate report on outdoor clothing donation drop boxes later this year. The purpose of this report will be to outline the Enforcement Division's approach in responding to outdoor clothing donation drop boxes and propose amendments to the Business Licensing By-law 01-2006 to increase public safety in response to issues raised by Council.

## **Comments**

The Region of Peel's textile collection program is aimed at coordinating placement of outdoor clothing donation drop boxes at multi-residential properties (i.e. apartments) throughout Peel. This includes multi-residential buildings owned by the Region (Peel Living) and privately owned buildings. The program is targeted at collecting textiles from targeted multi-residential properties. Collection boxes placed at these locations are not for public use and will not be advertised on the Region of Peel's website. The Region of Peel's textile collection program will also require an approval process for participating charities and additional oversight will be provided by Region staff as part of their program.

To allow the Region of Peel's textile collection program to continue at select number of approved locations zoned residential (e.g. multi-residential buildings and Peel Living sites), the following changes are being recommended.

- An amendment is required to the Business Licensing By-law 01-2006 to no longer explicitly prohibit outdoor clothing donation drop boxes on any property zoned residential. Once the

by-law is amended in this regard, a charitable organization would be eligible to receive a business licence to own/operate a clothing donation drop box where an application for a minor variance has been approved by the Committee of Adjustment to permit an outdoor clothing donation drop box on residential property.

- Conditional approval would also be required from the Region of Peel prior to an applicant moving forward with a minor variance application for outdoor clothing donation drop boxes on property zoned residential. In order to obtain an outdoor clothing donation drop box business licence on land zoned for use other than commercial or employment (Peel Living buildings and multi-residential), the charitable organization would be required to obtain a minor variance through the Committee of Adjustment and provide the City with proof of continued participation with the Region of Peel's textile collection program.

The requirement for a business licence, minor variance approval and confirmation of participation in the Region of Peel's textile collection program for all outdoor clothing donation drop boxes on land zoned for use other than commercial or employment (i.e. multi-residential property) will enhance regulations and thereby restrict the use to select eligible properties.

## Options

Region of Peel and City of Mississauga staff reviewed the option for indoor clothing donation drop boxes at the select residential locations, however, due to COVID-19 related concerns from both the property owners and the service providers, this solution is not recommended.

## Strategic Plan

A textile collection program for residents of residential locations aligns with the Strategic Plan as it supports the Green Pillar's Strategic Goals to "Lead and Encourage Environmentally Responsible Approaches" and "Promote a Green Culture".

## Financial Impact

A business licence for outdoor clothing donation drop boxes includes fees for the City of Mississauga both for the issuance of the licence and for the renewal of the licence to recover the costs to administer and enforce. The 2021 outdoor clothing donation drop box licence application fee is \$162 per box and the annual renewal fee is \$82 per box. The Region of Peel is proposing the placement of an estimated 21 boxes at 19 locations with the intention of expanding their program over time. The fees to be collected from these additional 21 boxes is a one-time amount of \$3,402 and an annual amount for the renewal fees of \$1,722 in cost centre 22652 Compliance Licensing.

## Conclusion

To permit outdoor clothing donation drop boxes as part of the Region of Peel's textile collection program on multi-residential locations and Peel Living sites (i.e. zoned residential), an amendment to the existing Business Licensing By-law 01-2006 is required. Currently, the City's Business Licensing By-law 01-2006 explicitly prohibits outdoor clothing donation drop boxes on

any property zoned residential. City of Mississauga staff have reviewed the requirements and determined that an amendment to the existing Business Licensing By-law 01-2006 is required to no longer explicitly prohibit clothing donation drop boxes on any property zoned residential. Limiting the number of outdoor clothing donation drop boxes at multi-residential locations to those approved by the Committee of Adjustment and the Region of Peel would continue to allow for enforcement of any unapproved drop boxes.



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