

Authority: Planning and Transportation Committee Report No. 1, Clause No. 4,  
as adopted by City of Toronto Council on February 1, 2 and 3, 2000  
Enacted by Council: March 2, 2000

## **CITY OF TORONTO**

### **BY-LAW No. 108-2000**

**To amend Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto, and to amend By-law No. 90-2000, a by-law amending By-law No. 20-85.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Subsection 11(1) of By-law No. 20-85, a by-law of the former Metropolitan Council, a by-law “respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, as amended by By-law No. 90-2000, enacted by City Council on February 3, 2000, is amended to correct drafting errors by adding the word “not” in the second line of paragraph (a) thereof between the words “will” and “carry”, by re-numbering clause (d) therein as clause (e), and by inserting the following therein as clause (d):

- (d) there are reasonable grounds for belief that the premises, accommodation, equipment or facilities in respect of which the licence is required have not complied, or will not comply, with the provisions of this By-law or any other law; or

such that subsection 11(1) of By-law No. 20-85, as amended by By-law No. 90-2000, reads as follows:

- 11. (1) An applicant for a licence, or for the renewal of a licence, is subject to the provisions of this By-law, entitled to be issued the licence or renewal, except where,
  - (a) conduct of the applicant affords reasonable grounds for belief that the applicant has not carried on, or will not carry on, his or her trade, calling, business or occupation in accordance with law and with integrity and honesty; or
  - (b) there are reasonable grounds for belief that the carrying on of the trade, calling, business or occupation by the applicant has resulted, or will result, in a breach of this By-law or any other law; or
  - (c) the applicant is a corporation and its conduct or the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that its trade, calling, business or occupation has not been, or will not be, carried on in accordance with law and with integrity and honesty; or

- (d) there are reasonable grounds for belief that the premises, accommodation, equipment or facilities in respect of which the licence is required have not complied, or will not comply, with the provisions of this By-law or any other law; or
- (e) the conduct of the applicant or other circumstances afford reasonable grounds for belief that the carrying on of the business by the applicant has infringed, or would infringe, the rights of other members of the public, or has endangered, or would endanger, the health or safety of other members of the public.

2. Section 2 of By-law No. 90-2000 is amended to correct a drafting error by re-numbering the section added to By-law No. 20-85 as section 27 to section 27.2, such that section 2 of By-law No. 90-2000 reads as follows:

2. By-law No. 20-85, as amended, is further amended by adding the following section:

- 27.2 (1) Despite sections 26 and 27 of this by-law, the Commission may, having regard to the conduct of the business by the licensee, suspend the passing of penalty and direct that the licence continue on such conditions as the Commission considers just and as are authorized by law.
- (2) Where a licensee who is bound by conditions issued in accordance with subsection (1) of this section is found to have contravened those conditions or any provision of this by-law, in addition to any penalty that the Commission may impose in respect of that contravention, the panel of the Commission which issued the conditions may:
- (a) impose any suspension or revocation of the licence that could have been imposed had the passing of penalty not been suspended; and
  - (b) impose such further conditions as the Commission considers just and as are authorized by law.

3. (1) This by-law shall be deemed to have come into force on February 3, 2000.
- (2) Notwithstanding the enactment of section 1 of this by-law, any proceedings commenced prior to the enactment of By-law No. 90-2000 shall be continued in conformity with subsection 11(1) of By-law No. 20-85 as it read immediately prior to the enactment of By-law No. 90-2000.

ENACTED AND PASSED this 2nd day of March, A.D. 2000.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)