

Authority: Policy and Finance Committee Report No. 5, Clause No. 11,
adopted as amended, by City of Toronto Council on June 22, 23 and 24, 2004
Enacted by Council: July 22, 2004

CITY OF TORONTO

BY-LAW No. 657-2004

To amend City of Toronto Municipal Code Chapter 545, Licensing, to establish new business licensing fees.

WHEREAS Section 150 and Part XII of the *Municipal Act, 2001* grant local municipalities the authority to license, regulate and govern any business wholly or partly carried on within the municipality, including the ability to require the payment of licence fees and fees for services provided by the municipality; and

WHEREAS the payment of licence fees sufficient to cover the costs of the administration and enforcement of Chapter 545 and the costs incurred by the City due to the activities of the businesses licensed under Chapter 545 is necessary in the interests of ensuring that the purposes of business licensing regulation – i.e. the protection of consumers and the health and safety of the public and control of nuisances--can be fulfilled through an adequately funded and administratively efficient program;

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

1. Chapter 545, Licensing, of The City of Toronto Municipal Code is amended as follows:
 - A. By repealing Appendix A to the chapter, with the exception of the entries for an “Owner who does not operate his or her own adult entertainment parlour”, an “Operator at an adult entertainment parlour” and “Taxicab Owners – Accessible Taxicabs” which entries shall remain in effect until specifically repealed, and replacing it with the Appendix attached as Schedule 1 to this by-law, effective July 1, 2004.
 - B. By adding, in alphabetical sequence, the following to § 545-1:

ENDORSEMENT - The additional consent provided to the holder of a licence under this chapter to carry on a related business activity which would otherwise require a licence under this chapter.
 - C. By amending § 545-4 by:
 - (1) Adding the following to Subsection G:
 - (3) Effective July 1, 2004, all licences issued under this chapter shall be renewed on the anniversary of the date upon which the licence was first issued (the “New Renewal Date”), provided that the applicable licence fees for renewal in 2005 shall be phased-in on a pro-rated basis as follows:

- (a) Where the period from the previous renewal date in 2004 as set out in Appendix A to this Chapter prior to July 1, 2004 (the “Old Renewal Date”) to the New Renewal Date is more than three calendar months, licence holders renewing their licences after July 1, 2004 will be required to renew their licence on the Old Renewal Date, at which time they shall pay on a pro-rated basis for the period from the Old Renewal Date to the New Renewal Date, and every year thereafter on the New Renewal Date; or
 - (b) Where the period from the Old Renewal Date to the New Renewal Date is three calendar months or less, licence holders renewing their licenses after July 1, 2004 will be required to renew their licence on the Old Renewal Date, at which time they shall pay on a pro-rated basis for the period from the Old Renewal Date to the first anniversary of the New Renewal Date, and every year thereafter on the New Renewal Date.
 - (4) Effective January 1, 2005, where persons holding a licence issued under this chapter fail to renew their licence by the renewal date as defined under § 545-4G(3), they shall, upon submitting an application for renewal after the renewal date, be subject to a late renewal administration fee, which shall be payable in addition to the annual licence fee as follows:
 - (a) Application for renewal within the first thirty (30) days - \$8.00;
 - (b) Application for renewal from thirty-one (31) to sixty (60) days - \$59.00; and
 - (c) Application for renewal from sixty-one (61) to Ninety (90) days - \$114.00.
 - (5) Effective January 1, 2005, where a person holding a licence issued under this chapter fails to renew his or her licence within ninety (90) days of the specified renewal date, the person shall no longer be entitled to renew the licence and shall be required to apply for a new licence under this chapter, subject to the payment of such fees as may be required.
- (2) Deleting Subsections L and M and substituting the following:
- L. The licences for the several trades, businesses and occupations set out in Appendix A at the end of this chapter shall be from the period commencing on the date of issuance or renewal of such

licences and, unless they are sooner forfeited or revoked, shall, in each case, expire in each year on the date as set out in § 545-4G(3).

M. The sums of money set out in Appendix A at the end of this chapter for each fee class are, effective July 1, 2004, the current amounts of the fee for such licences, and these amounts shall be updated on a yearly basis in accordance with § 545-4N.

(3) By adding the following Subsections:

O. Amendments to licence.

Effective July 1, 2004, where any person holding a licence under this chapter applies for an amendment to the licence at any time other than renewal of the licence, he or she shall pay an amendment fee of \$54.00.

P. Validity of endorsements.

(1) Where a person holding a licence under this chapter is issued an endorsement to permit additional business activity under the license, the business activity permitted under the endorsement shall be commenced within sixty (60) days of the issuance of the endorsement and carried on continuously thereafter.

(2) In the event that the relevant business activity is not commenced as required under § 545-4P(1) or is discontinued for a continuous period of time of at least thirty (30) days, the endorsement shall be deemed to be expired and the licensee shall be required to pay a fee to amend the licence as required under § 545-4O.

(3) No person shall obtain or use an endorsement except as required under this § 545-4P.

ENACTED AND PASSED this 22nd day of July, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE 1**APPENDIX A TO CH. 545
ANNUAL FEES FOR LICENCES****Fee Class 01 (Adult Attendants)**

Includes licences for every attendant at an adult entertainment parlour; every person other than a person licensed pursuant to § 545-2A(7) hereof who performs, offers or solicits a body-rub in, at or upon a body-rub parlour in the pursuance of a trade, business or occupation; and every person, other than a person licensed pursuant to § 545-2A(58) hereof, who provides or offers holistic services.

For initial licence	\$ 262.00
For renewal	\$ 149.00

Fee Class 02 (Adult Establishment)

Includes licences for every person whose primary activity is to: own and/or operate an adult entertainment parlour; and own and/or operate a body-rub parlour.

Owner who operates:	
For initial licence	\$ 10,174.00
For renewal	\$ 9,809.00

Fee Class 03 (Leisure Establishment)

Includes every person whose primary business activity is to: (subject to the provisions of the Theatres Act) own or keep for hire or gain an exhibition (other than those provided for by § 545-2A(15)) and exhibits same elsewhere than in a theatre, music hall, public hall or other place licensed under this subsection, or who owns or keeps a theatre, music hall, bowling alley, moving picture show, public hall or any place of amusement; own or keep any exhibition of wax works, menagerie, circus-riding or other like show usually exhibited by showmen; own or keep a proprietary club (as defined by the Municipal Act), which directly or indirectly keeps or has in its possession or on its premises any billiard, pool or bagatelle table; own or keep a swimming pool or public bath premises for profit; own or keep a roller-skating-rink or other place of like amusement, a merry-go-round, a switchback railway, a carousel or other like contrivance; and engage in the racing of motor vehicles or motorcycles or hold motor vehicle or motorcycle races.

For initial licence	\$ 272.00
For renewal	\$ 116.00

Fee Class 04 (Regulatory)

Includes every person whose primary business activity is to: own and/or operate a private parking enforcement agency.

For initial licence	\$ 2,571.00
For renewal	\$ 2,345.00

Fee Class 05 (Restaurant)

Includes licences for every person whose primary business activity is to: own or keep a victualling house, ordinary or house where fruit, fish, oysters, clams or victuals are sold to be eaten therein (other than a restaurant or cafe in a hotel as defined by the *Municipal Act*).

For initial licence	\$ 330.00
For renewal	\$ 159.00

Fee Class 06 (Retailer – Foodstuffs)

Includes licences for every person whose primary business activity is to: own or keep any place (other than an ice cream parlour in a hotel as defined by the *Municipal Act*) for the reception, refreshment or entertainment of the public; operate a bake shop; own or keep a place where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold; sell fresh meat in quantities less than by the quarter carcass (except horse meat), or fresh fish; and sell fresh horse meat in quantities less than by the quarter carcass.

For initial licence	\$ 232.00
For renewal	\$ 116.00

Fee Class 07 (Retailer – Other)

Includes licences for every person whose primary business activity is to: own or keep a store or shop (other than a hotel as defined by the *Municipal Act*) where tobacco, cigars or cigarettes are sold, or offered for sale, by retail; own or keep a shop or place where animals or birds for use as pets are sold or kept for sale; exercise the trade of a pawnbroker; purchase or deal, for hire or gain, in old gold and other precious metals and in old jewellery or other articles for the purpose of smelting the same and recovering the gold therefrom; own or keep a salvage shop; own or keep a salvage yard; own a shop, store or other place for the purchase, sale or exchange of second-hand goods; engage in the business of purchasing, selling, exchanging or otherwise dealing in second-hand goods in or from a yard, shop, store or other premises; go from house to house or along any street, whether public or private, for the purpose of collecting, purchasing or obtaining second-hand goods; go on foot from place to place or to a particular place with goods, wares or merchandise for sale, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise which are to be delivered within the municipality afterwards (but not including a person who hawks, peddles or sells goods, wares or merchandise as per § 545-2A(17)(a) through 545-2A(17)(f)); works as a transient trader or whose name has not been entered on the assessment roll or is entered on it for the first time, in respect of business assessment for the current year, and who offers goods, wares or merchandise for sale by auction, conducted by himself or herself, or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner and every other person who, after the return of the assessment roll, commences to carry on any business in premises in respect to which he or she is liable for business assessment, but this shall not include the sale of the stock of a bankrupt or insolvent, within the meaning of any Bankruptcy or Insolvency Act in force in Ontario, nor to the sale of

any stock damaged by or by reason of fire, which is being sold or disposed of within the City of Toronto if the business was being carried on in the City of Toronto at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock, nor shall this subsection apply; conduct a special sale.

For initial licence	\$ 438.00
For renewal	\$ 169.00

Fee Class 08 (Retailer – Services)

Includes licences for every person whose primary business activity is to: own a holistic centre; own a traditional medicine establishment; own a barber-shop and or a hairdressing establishment; keep boats for hire; own or operate a laundry; carry on the business of making available to the public the use of laundreterias, washing machines or dryers, including coin-operated washing machines and dryers; post bills, paint advertising signs, paint bulletin boards, post signs, distribute bills (unless he or she works only as an employee of a person licensed pursuant to this section); own or operate a public address system, sound equipment, loudspeaker or similar device when used on a highway, public lands or lands adjacent thereto, or when emitting sound thereto.

For initial licence	\$ 232.00
For renewal	\$ 115.00

Fee Class 09 (Tradesperson)

Includes licences for every person whose primary business activity is to: provide traditional medicine services; auction by selling or putting up for sale goods, wares, merchandise or effects by public auction (not including a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent); engage in the business of altering, repairing or renovating buildings or structures or constructing radiation fallout structures, other than building contractors whose principal business is the construction of buildings or structures; work as a drain contractor or drain layer; work as an electrical contractor or master electrician; work as a heating contractor, master steam and hot water heating installer and master warm air heating installer; carry on the business of installing insulation in buildings; work as a plumbing contractor, plumber and master plumber; work as a chimney repairman; and work as a building cleaner.

For initial licence	\$ 259.00
For renewal	\$ 113.00

Fee Class 10 (Vehicular Business – Driver)

Includes licences for every person whose primary business activity is to: drive a tow truck; drive a livery cab; drive a school bus; drive in the sale of refreshments from a vehicle from which refreshments are sold for consumption by the public; work as a driving instructor (without a vehicle) for a business that teaches persons to operate motor vehicles; drive a horse-drawn vehicle used or kept for hire for the purpose of providing sightseeing tours in the City of Toronto; drive a pedicab used or kept for hire; and assist the owner of a motor vehicle or push cart that is used to go from place to place or to a particular place with goods, wares or merchandise for sale, or that is used to carry and expose samples, patterns or specimens of any goods, wares or merchandise which are to be delivered within the municipality afterwards (but

not including the owner of a motor vehicle or push cart used for hawking, peddling or selling goods, wares or merchandise as per § 545-2A(17)(a) through 545-2A(17)(f).

For initial licence	\$ 303.00
For renewal	\$ 202.00

Fee Class 11 (Taxicab Driver)

Includes licences for every person whose primary business activity is to: drive a taxicab (and is not an owner of the taxicab).

For initial licence	\$ 513.00
For renewal	\$ 246.00

Fee Class 12 (Vehicular Business – Owner)

Includes licences for every person whose primary business activity is to: own a tow truck; own a livery cab; own a motorised vehicle from which refreshments are sold for consumption by the public; own and go by motor vehicle or with a push cart from place to place or to a particular place with goods, wares or merchandise for sale, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise which are to be delivered within the municipality afterwards (but not including a person who hawks, peddles or sells goods, wares or merchandise as per § 545-2A(17)(a) through 545-2A(17)(f)).

For initial licence	\$ 908.00
For renewal	\$ 586.00

Fee Class 13 (Standard Taxicab Owner)

Includes licences for every person whose primary business activity is to: own a Standard taxicab.

For initial licence (acquired through the sale of a taxicab)	\$ 3,880.00
For renewal	\$ 990.00

Fee Class 14 (Ambassador Taxicab Owner)

Includes licences for every person whose primary business activity is to: own and operate an Ambassador taxicab.

For initial licence	\$ 799.00
For renewal	\$ 619.00

Fee Class 15 (Vehicular Business - Other)

Includes licences for every person whose primary business activity is to: work as a taxicab broker; carry on the business of teaching persons to operate motor vehicles (without a vehicle); own a pedicab used or kept for hire; own a non-motorised vehicle from which refreshments are sold for consumption by the public; own a horse-drawn vehicle used or kept for hire for the purpose of providing sightseeing tours in the City of Toronto; drive a pedicab used or kept for hire; own a motor vehicle used for hire of one or more of the following classes: drive-self rental car; drive-self rental motorcycle; drive-self rental motor scooter; drive-self rental snowmobile;

own or operate a public garage; and own or keep an automobile service station located or erected since the 25th day of June, 1928, within any defined area or areas or on land abutting on any defined highway or part of a highway in which area or areas or on which land the erection or location of garages to be used for hire or gain or gasoline and oil filling stations was on the said date or at any time thereafter prohibited by a by-law.

For initial licence	\$ 320.00
For renewal	\$ 193.00

Fee Class 16 (Driving School Instructor/Operator with Vehicle)

Includes licences for every person whose primary business activity is to: carry on the business of teaching persons to operate motor vehicles; and work as a driving instructor (with a vehicle) for a business that teaches persons to operate motor vehicles.

For initial licence	\$ 379.00
For renewal	\$ 250.00