

**REPORT FOR ACTION****Toronto Licensing Tribunal 2018 Annual Report**

Date: September 23, 2019

To: General Government and Licensing Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

In accordance with the Relationship Framework approved by City Council for the Toronto Licensing Tribunal, the Chair's 2018 Annual Report is being communicated to the General Government and Licensing Committee for information.

The Toronto Licensing Tribunal (the Tribunal) is an independent quasi-judicial body comprised of seven citizens chosen by City Council for a four-year term. The Tribunal receives administrative support from the City of Toronto's Court Services Division. The Tribunal makes decisions about business licensing matters that are brought forward by Municipal Licensing and Standards (MLS), or at the request of a licensee or applicant, in accordance with the City of Toronto Municipal Code Chapter 545, Licensing, and Chapter 546, Licensing of Vehicles-for-Hire.

In 2018, the Toronto Licensing Tribunal scheduled 235 appearances before a hearing panel. There were 54 hearing dates, which include several multi-day hearings and two motion hearings. In addition, there were 26 pre-hearing dates; these resulted in 127 meetings between an applicant and MLS.

As indicated in the Toronto Municipal Code and the Relationship Framework for the Toronto Licensing Tribunal, the Annual Report contains recommendations of the Chair for improvements or changes to the Toronto Licensing Tribunal policies and procedures. The recommendations for 2018 are similar to the ones made in the 2017 Annual Report, with some updates and revisions.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. The General Government and Licensing Committee receive the Toronto Licensing Tribunal Chair's 2018 Annual Report, as contained in Attachment 1, for information.

FINANCIAL IMPACT

There are no immediate financial impacts beyond what has already been approved in the current year's budget.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On June 14, 2018, Licensing and Standards Committee received for information [LS26.1: Toronto Licensing Tribunal 2016 and 2017 Annual Reports](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.LS26.1) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.LS26.1>).

On May 19, 2016, Licensing and Standards Committee received for information [LS11.1: Toronto Licensing Tribunal - Chair's 2015 Annual Report](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS11.1) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS11.1>).

COMMENTS

The Toronto Licensing Tribunal is an independent quasi-judicial body consisting of seven citizens chosen by Toronto City Council for a four-year term. The Tribunal receives administrative support from the City's Court Services Division. Hearings are open to the public, scheduled every Thursday, unless otherwise noted. The Tribunal conducts itself in accordance with the *Statutory Powers Procedure Act* and its members are bound by the *Municipal Conflict of Interest Act*.

The Tribunal has the authority to:

- Approve or refuse an application for a licence;
- Approve or refuse the renewal of a licence;
- Place conditions on a licence; or
- Suspend or revoke a licence.

MLS licenses stationary businesses such as restaurants, public garages, and commercial parking lots, as well as mobile businesses such as vehicles-for-hire, tow truck drivers and owners, and driving instructors.

MLS may refer a licence to the Tribunal for a hearing if the licensing by-law or any other law has been breached, as well as refuse to issue or renew a business licence because the licensee has exceeded the business licensing thresholds as a result of *Criminal Code*, *Highway Traffic Act*, or by-law convictions. Applicants who are denied a licence by MLS may request a hearing before the Tribunal by completing a Request for Hearing application.

Decisions of the Tribunal may be the subject of an Application for Judicial Review through the Ontario Divisional Court. The Tribunal will issue written Reasons for Decision for each contested case before the Tribunal, which are posted online.

The 2018 Annual Report for the period of January 1, 2018 to December 31, 2018 from Gary Yee, Chair of the Toronto Licensing Tribunal, is contained in Attachment 1.

CONTACT

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SIGNATURE

Carleton Grant
Executive Director, Municipal Licensing and Standards

ATTACHMENTS

Attachment 1 - Toronto Licensing Tribunal Chair's 2018 Annual Report