

Attachment 7: Current Licensing Requirements and Issues

November 2023

Summary of General Licensing Requirements Applicable to All Licensees (Chapter 545, 8.4)

- A. Shall not discriminate against others;
- B. Shall not refuse a person accompanied by a service animal;
- C. Shall not permit smoking within the establishment;
- D. Shall not make threats or reprisals towards employees or other businesses;
- E. Shall notify Municipal Licensing and Standards of any reason that licensee no longer meets screening criteria;
- F. Failure to uphold E may lead to suspension of licence;
- G. Shall maintain public sidewalks, curbs, and gutters surrounding the establishment free from cigarette butts, cigar tips, e-cigarettes, and any waste generated by patrons;
- H. Shall provide cigarette disposal containers or receptacles adjacent to the business during business operating hours; and
- I. Shall not perform or sell any goods during the Canadian National Exhibition or any agricultural fair in Toronto either within the grounds of such Exhibition or fair or within 274 meters from it.

Table 1 – Current Definition, Requirements, and Issues Per Licence Category

Licence Category	Current Definition	Requirements	Issues
Eating or Drinking Establishment	<p>Every place for lodging, reception, refreshment, or entertainment of the public</p> <p>Every place where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold</p> <p>Every victualling house, ordinary, and house where</p>	<ul style="list-style-type: none"> • Zoning review • ID • Documentation (e.g., Criminal Record Check) • Food safety reports available for review • Notify of change in management 	<p>Outdated wording, such as “victualling” and “foodstuffs”</p> <p>Unclear definition, leading to enforcement issues</p> <p>Zoning definition does not describe how food is provided to seated guests</p>

Licence Category	Current Definition	Requirements	Issues
	<p>fruit, fish, oysters, clams, or victuals are sold to be eaten therein</p> <p>Any other place where food is served in pursuance of a trade, business or occupation</p>		<p>Licensing definition includes a broad range of uses, while zoning definition is limited to traditional seating, take-out and drive-in eating establishment</p>
Retail Store (Food)	Same as Eating or Drinking Establishment	<ul style="list-style-type: none"> • ID • Documentation (e.g., Criminal Record • Food safety reports available for review • Notify of change in management 	Requires a licence but is not defined in Chapter 545
Entertainment Establishment/Nightclub	Premises, including but not limited to a dance hall or disco, used to provide dance facilities for patrons, where seating is not provided for the majority of the patrons and where food or beverage may be offered for sale as an ancillary use.	<ul style="list-style-type: none"> • Zoning review • ID • Documentation (e.g., Criminal Record Check) • Provision of security guards – one per 100 patrons • Each entrance equipped with a metal detector • Provide a list of ‘persons of authority’ for the establishment • Noise control plan • Crowd control plan • Litter control near establishment 	<p>Unclear By-law definition, leading to enforcement issues</p> <p>Licensing definition states "where seating is not provided for the majority of the patrons" while the zoning definition does not refer to seating</p>

Licence Category	Current Definition	Requirements	Issues
		<ul style="list-style-type: none"> • Proof of \$2,000,000 liability insurance 	
Public Hall	Not defined in Chapter 545	<ul style="list-style-type: none"> • ID • Documentation (e.g., Criminal Record Check) • Maintain the establishment in good order and have sufficient staff • If there are frequent forming of queues at entry of a theatre, have a uniformed attendant present to regulate • Hours of operation for public dance halls (dancing shall cease by 12:45 a.m.) • Must cease advertising if ordered to do so by MLS • Proof of \$1,000,000 liability insurance • Proof of insurance for travelling shows • Public halls with a liquor licence exempt from MLS business licence 	Requires a licence but is not defined in Chapter 545, while zoning definition provides examples such as banquet halls
Place of Amusement	Place of Amusement undefined in Chapter 545. However, the Chapter requires a licence for “owners or keepers of exhibitions [...] places of amusement, roller-skating rinks, merry-go-rounds [...] etc.”	<ul style="list-style-type: none"> • Zoning review • ID • Documentation (e.g., Criminal Record Check) • Maintain the establishment in good order and have sufficient staff • Hours of operation for roller-skating rinks and similar places of amusement (closed between 1 a.m. and 8 a.m.) 	Unclear definition and does not provide example of uses, while zoning definition provides three definitions of which several amusement uses are captured

Licence Category	Current Definition	Requirements	Issues
		<ul style="list-style-type: none"> • Staffing and safety regulations for trampoline and rebound tumbling centres • Must cease advertising if ordered to do so by MLS • Proof of \$1,000,000 liability insurance 	<p>Requires licence holders to obtain an endorsement to serve food or drinks</p>
<p>Billiard Hall/ Pool Hall</p>	<p>Billiard Hall/Pool Hall undefined in Chapter 545. However, the Chapter 545 requires a licence for “every person who for hire or gain directly or indirectly keeps or has in his or her possession or on his or her premises any billiard, pool or bagatelle table, or who keeps or has any such table, whether used or not in a house or place of public entertainment or resort.”</p>	<ul style="list-style-type: none"> • Zoning review • ID • Documentation (e.g., Criminal Record Check) 	<p>Requires a licence but is not defined in Chapter 545</p> <p>Requires licence holders to obtain an endorsement to serve food or drinks</p> <p>Zoning definition includes a broad range of uses, while the licensing definition is narrower in scope</p>