
**TORONTO LICENSING TRIBUNAL ELECTRONIC HEARING:
April 18, 2024 (9:30 AM)
Summary of Decisions
M. Lee / V. Francis / J. Lau**

- 1. Jeyaparan Shanmugalingam** (Report No. 7433)
Holder of Vehicle-For-Hire Driver's Licence No. D05-4648168

DECISION:

The Tribunal approved the request for adjournment to July 11, 2024 at 9:30 a.m., on consent.

Municipal Licensing and Standards and Jeyaparan Shanmugalingam requested an adjournment of this matter.

The Tribunal further ordered the interim suspension placed on Jeyaparan Shanmugalingam's Vehicle-For-Hire-Driver's Licence at the October 1, 2020 Tribunal Hearing shall remain in effect, until the Tribunal orders otherwise.

(Jeyaparan Shanmugalingam attended today's hearing)

- 2. 2855969 Ontario Inc.** (Report No. 7835)
o/a Pizza Wine Disco
Rahul Raina, Director
Holder of Eating Establishment Licence No. B71-5145194

DECISION:

The Tribunal approved the joint Proposed Resolution signed on April 18, 2024, as follows:

"The Eating Establishment Licence shall be renewed, subject to the following conditions:

- (1) The Eating Establishment License shall be suspended for seven days, from Saturday, May 11 to Friday, May 17, 2024, inclusive;

- (2) The Eating Establishment Licence will be placed on probation for a period of three (3) years, commencing on the date of the Tribunal Hearing. The Licensee is advised that during the probationary period, Municipal Licensing and Standards ("MLS") may make additional checks of any criminal, and by-law charges and convictions against the Licensee, and conduct other investigations as appropriate, to assess the Licensee's compliance with the requirements of Chapter 545 of the Municipal Code and other applicable laws;
- (3) During the probationary period, the Licensee shall not permit its capacity to exceed the approved allowance as per the Fire Code. If the Licensee is cautioned or charged by the Toronto Fire Service or the Alcohol and Gaming Commission of Ontario for overcrowding, the Licensee shall notify Municipal Licensing and Standards in writing within 5 business days;
- (4) During the probationary period, if MLS has concerns with any new charges or convictions against the Licensee, or any other concerns with respect to the Licensee's conduct those matters and Report no. 7835 and any updating material, may be brought back before the Tribunal for a full hearing, with the exception that MLS will not use any convictions, monetary penalties, or admissions of guilt by or against the Licensee with respect to matters occurring prior to the date of this Proposed Resolution as the basis to return this matter to the Tribunal, and there shall be no obligation on the Licensee's part to notify Municipal Licensing and Standards of said matters or any convictions, monetary penalties, or admissions of guilt associated therewith;
- (5) The Licensee shall adhere to the terms of the Minor Variance Decision issued by the Committee of Adjustment in file number A0032/14TEY, following a hearing dated May 5, 2014, in their entirety, which decision is included as Schedule "A" to this Agreement. For greater certainty, should any portion of the Minor Variance Decision be amended or overturned, then the Licensee shall only adhere to those terms which remain in full force and effect. Among other terms, no disk jockey booth or disk jockey equipment will be used on-site unless permitted through zoning and the appropriate licence;
- (6) The business shall not encumber the City of Toronto public right of way fronting the address by any means, and shall take reasonable steps to prevent and/or address any loitering or encumbrance in such right of way by clients or patrons."

(Dion Vassos, Solicitor attended today's hearing on behalf of Rahul Raina)