

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 098-2020**

**A By-law of the Corporation of the City of Vaughan to amend Licensing By-law 315-2005, as amended.**

**WHEREAS** section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate, and to enhance its ability to respond to municipal issues;

**AND WHEREAS** section 11(3) and Part V of the *Municipal Act, 2001*, provides that a municipality may pass by-laws respecting business licensing;

**AND WHEREAS** section 151 of the *Municipal Act, 2001*, provides that a municipality may provide a system of licenses with respect to businesses;

**AND WHEREAS** the Council of The Corporation of the City of Vaughan has determined that it is desirable to make amendments to By-law 315-2005, as amended;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Licensing By-law 315-2005, section 2.1, be amended by adding, in alphabetical sequence, the definition of *Registered Charity* as follows:  
  
“Registered Charity” means an incorporated charitable organization registered under Canada’s *Not-for-profit Corporation Act* S.C. 2009, c.23;
2. That Part 4.5 be added to Licensing By-law 315-2005, as follows:

### **4.5 REGISTERED CHARITIES**

- (1) Where a *Registered Charity* provides goods or services governed by this By-law, the *Chief Licensing Officer* may, upon application, exempt such *Registered Charity* from some or all or the requirements under the By-law.
- (2) An application under this Part shall be presented in person by the *Licensee, Applicant* or his or her *Authorized Agent*, and shall

constitute of the following:

- (a) a completed and signed application form, as provided by the *Chief Licensing Officer*;
  - (b) the presentation of the original Articles of Incorporation for the *Registered Charity* and one copy for submission; and
  - (c) any other information deemed necessary by the *Chief Licensing Officer*.
- (3) A determination under 4.5(1) of whether a *Registered Charity* may be exempted from requirements under this By-law shall be based on the extent to which:
- (a) goods or services are exclusively provided by the *Registered Charity*;
  - (b) goods or services provided are in line with the *Registered Charity's* purpose as stated in its governing document, such as letters patent, articles of incorporation, trust, or constitution;
  - (c) the exemption sought compromises the health and safety of the public or consumer protection;
  - (d) the exemption sought unduly creates a public nuisance.
  - (e) the exemption sought unduly adversely affects a local business; and
  - (f) the exemption sought advances an identified objective of the *Registered Charity* that is in line with the public interest.
- (4) The determination of the *Chief Licensing Officer*, in accordance with 4.5(3), shall be provided in writing, state the grounds for the decision, and shall be final.
- (5) The determination of the *Chief Licensing Officer* shall form part of a *Licence* under this By-law and shall be present at the place where the goods or services are being provided and shall produce for inspection upon request.

Enacted by City of Vaughan Council this 29<sup>th</sup> day of June, 2020.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

Authorized by Item No. 24 of Report No. 20  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
May 27, 2020.