



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 121 - 2020

To amend Business Licensing By-law 332-2013, as amended by adding Schedule 16, regarding licensing of Payday Loan Businesses

WHEREAS By-law 332-2013 provides a system for licensing for Stationary Businesses in the City of Brampton;

AND WHEREAS there appears to be a proliferation of payday loan businesses in certain areas of the City, which can have an impact on vulnerable consumers by providing convenient but expensive loans resulting in a very costly way to borrow money;

AND WHEREAS sections 151 and 154.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 and section 23(3) of the *Pay Day Loans Act, 2008*, S.O. 2008, C. 9 permit a municipality to establish regulations relating to payday loan establishments, including defining areas in which such establishments may operate and limits on the number of payday loans within defined areas;

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. That Business Licensing By-law 332-2013, as amended, is hereby further amended by deleting the words "(letter reserved for future use)" in section 5(1)(p) and replacing them with the following:
"(p) owns or operates a Payday Loan Business (S-16);"
2. That Business Licensing By-law 332-2013, as amended, is hereby further amended by adding Schedule 16 - Payday Loan Businesses as attached as **Schedule "1"** to this By-law.
3. That Business Licensing By-law 332-2013, as amended, is hereby further amended by adding and inserting Schedule 16 licensing fee and expiry date after Schedule 15 and before Schedule 17 to Appendix A, Fee Schedule, relating to Payday Loan Businesses, as follows:

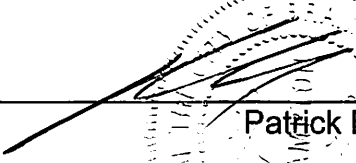
Sched #	Type of Licence	Licence Fee	Expiry Date
16	Payday Loan Businesses	\$ 1,200.00	May 31

4. This By-law comes into force and effect on July 8, 2020


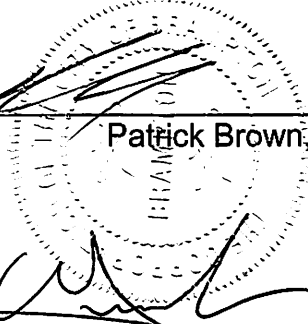
ENACTED and PASSED this 8th day of July, 2020.

Approved as to
form.
2020/07/08
Diana Soos

Approved as to
content.
2020/07/08
P. Fay



Patrick Brown, Mayor



Peter Fay, City Clerk
Charlotte Grawler, Deputy

Schedule 1

SCHEDULE 16 TO BY-LAW # 332-2013

RELATING TO

PAYDAY LOAN BUSINESSES

1. In addition to the definitions in section 4 of this By-law 332-2013 for the purpose of this Schedule the followings words have the following meaning:

“Cannabis Sales Retail Establishment” means a provincially regulated cannabis retail business that is licensed and authorized by the Alcohol and Gaming Commission of Ontario (AGCO).

“Gaming Establishment” means an establishment with a primary purpose of accommodating the wagering of money and includes, but is not limited to, casinos, off-track betting and bingo halls.

“Liquor Retail Establishment” means a provincially regulated liquor retail business including but not limited to LCBO’s, The Beer Stores and grocery retail stores that sell beer and wine.

“*Payday Loans Act, 2008*”, means the *Payday Loans Act, 2008*, S.O. 2008, C.O. as amended, and includes any Regulations passed under it.

“Payday Loan Business” means any Premises where payday loans as defined under the *Payday Loans Act, 2008* are offered or made or where assistance is offered in obtaining a payday loan as defined under the *Payday Loans Act, 2008*.

“Provincial Payday Loan Licence” means a lender or loan broker licence issued under the *Payday Loans Act, 2008*.

General Conditions

2. No Person shall act as a lender or loan broker as defined under the *Payday Loans Act, 2008*, without a valid Provincial Payday Loan Licence and Licence issued under this Schedule.
3. No Person shall own or operate a Payday Loan Business without a valid Provincial Payday Loan Licence and Licence issued under this Schedule.

Application Requirements

4. Before a Licence under this Schedule may be issued, every Applicant for such Licence shall submit the following for the approval of the Licence Issuer:
 - a) The name of the Owner;
 - b) The address of the proposed location where the Owner is seeking to operate a business for which a licence is being sought under this Schedule;
 - c) Proof that the Applicant has a current and valid Provincial Payday Loan Licence;
 - d) The credit counselling information that will be given in accordance with section 14 of this Schedule; and

Schedule 1

- e) Such other information as may be required by the Licence Issuer.

Location and Number of Licences Restricted

- 5. No Licence shall be issued under this Schedule if the proposed location of the business is:
 - a) within 300 metres of another Payday Loan Business licensed under this Schedule or the *Payday Loans Act, 2008*;
 - b) within 500 metres of a Gaming Establishment;
 - c) within 500 metres of a Liquor Retail Establishment; or
 - d) within 500 metres of a Cannabis Sales Retail Establishment.
- 6. Subject to compliance with this By-law, a Licence issued under this Schedule permits the operation of a Payday Loan Business only at the location authorized by the Licence.
- 7. The total number of Licences which may be granted by the City under this Schedule shall be limited to 49 representing the total number of Provincial Payday Loan Licences issued to businesses operating within the City as of the date this Schedule comes into effect.
- 8. Despite Section 5 of this Schedule, any business operating in the City with an existing Provincial Payday Loan Licence on the date this Schedule comes into effect, as listed in Appendix 1 to this Schedule, may continue to operate in the same location provided that:
 - a) The Owner obtains a Licence issued under this Schedule by November 5, 2020;
 - b) The Business is operated continuously as a business licensed under the *Payday Loans Act, 2008*;
 - c) The Business is, at all times, operated in compliance with this By-law and all applicable municipal, provincial and federal laws; and
 - d) The Licence issued under this Schedule is renewed annually as required by this By-law.
- 9. Despite section 7 of this Schedule, no Licence shall be issued under this Schedule before November 6, 2020, except to a business described in section 8 of this Schedule.

Operator Requirements

- 10. An Owner or Operator shall:
 - a) Inform the Licence Issuer immediately if the Licensee's Provincial Payday Loans Licence under the *Payday Loans Act, 2008* is suspended, ceases to be valid, is revoked or expires;
 - b) Operate only at the location authorized by a Licence issued under this Schedule; and

Schedule 1

- c) Cease operating at a location authorized by a Licence issued under this By-law if the Operator's Provincial Payday Loans Licence or Licence issued under this Schedule has been suspended, ceases to be valid, is revoked or expires.

Transfer or Change of Location

- 11. A Licence issued under this Schedule may not be transferred to another Person.
- 12. Any change of location shall constitute a new Application for a Licence under this Schedule, and shall be subject to the provisions of this Schedule and sections 5 and 7 of this Schedule shall apply to the new Application.
- 13. A Payday Loan Business operating under a Licence issued under this Schedule shall not change its location, unless and until it first applies for and obtains a new Licence issued under this Schedule for the new location and pays any applicable Fees and Charges.

Borrower Protection

- 14. Every business operating under a Licence issued under this Schedule shall:
 - a) Prominently display a poster in a location that is visible to a person immediately upon entering the premises that provides credit counselling agencies and contact information in the form and containing the content prescribed by the License Issuer; and
 - b) Ensure that each person who attends at the premises is given, immediately upon expressing an interest in a loan, credit counselling information that has been approved in advance by the License Issuer.
- 15. This Schedule shall come into force and effect on July 8, 2020.

Schedule 1

APPENDIX 1 TO SCHEDULE 16
PRE-EXISTING PROVINCIAL LICENCES
PAYDAY LOAN BUSINESSES

The Payday Loan Businesses licenced under the *Payday Loans Act, 2008*, existing on July 8, 2020, are at the following locations:

Ward 1

367 Main Street North
425 Main Street North
244 Queen Street East
212A Queen Street East
372 Queen Street East
148 Queen Street East, Unit 4
370 Main Street North, Unit 25
188 Queen Street East
320 Main Street North
425 Main Street North, Unit 1

Ward 2

164 Sandalwood Parkway East, Unit 221
10015 Hurontario Street, Unit 3
10906 Hurontario Street

Ward 3

279 Queen Street East, Unit 2
83 Kennedy Road South, Unit 27
149 Clarence Street, Unit C
269 Queen Street, Unit 5
1 Steeles Avenue East, Unit 3
83 Kennedy Road South, Unit 13
279 Queen Street East, Unit 3
196 Main Street, Unit 2A
85 Kennedy Road South, Unit 32
263 Queen Street East, Unit 21
400 Steeles Avenue East, Unit 6
2-30 Rambler Drive, Unit 1
495 Main Street South
1 Kennedy Road
267 Queen Street East, Unit C
279 Queen Street East, Unit 3

Ward 4

7900 Hurontario Street, Unit 13
7700 Hurontario Street, Unit 108B
17 Ray Lawson Boulevard, Unit 6
7686 Hurontario Street
499 Ray Lawson Boulevard, Unit 11

Schedule 1

Ward 5

110 McLaughlin Road, Unit 1
10 Gillingham Drive, Unit 103

Ward 6

5 Montpelier Street, Unit A-105
20 Brisdale Drive

Ward 7

24 Bramalea Road
25 Peel Centre Drive

Ward 8

9025 Torbram Road, Unit 15
15 Gateway Boulevard, Unit 104
9899 Airport Road, Unit 2
9185 Torbram Road, Unit 2
2456 Queen Street East, Unit 1
2880 Queen Street East, Unit 6
1771 Queen Street East
2200 Queen Street East, Unit 6
2956 Queen Street East
1785 Queen Street East

Ward 10

3955 Cottrelle Boulevard