

By-law (2022) – 20670
Schedule “A”
being new SCHEDULE “A”
to City of Guelph By-law Number (2009)-18855

BUSINESSES REQUIRING BUSINESS LICENCES

SCHEDULE	BUSINESS
1	Adult Entertainment Establishment Adult Entertainment Retail Establishment
2	Amusement Establishment
3	Bed and Breakfast
4	Catering Business
5	Food Establishment Business
6	Outdoor Food Sales Business
7	Holistic Services: Owner, Operator or Practitioner
8	Hotel Establishments
9	Pawnbroker
10	Personal Service Establishment
11	Private Parking Agent
12	Public Assembly Hall
13	Outdoor Merchant Sales Business
14	Driving Instructor
15	Donation Bin, Publication Dispensing Box
16	Taxicabs, Accessible Taxicabs and Limousines
17	Vehicle for Hire
18	Second-hand Goods and Salvage Goods
19	Payday Loan Establishment

Schedule "B"
being new SCHEDULE "B"
to City of Guelph By-law Number (2009)-18855

REQUIRED INSPECTIONS FOR BOTH INITIAL APPLICATIONS AND RENEWALS

SCHEDULE #	BUSINESS	APPLICATION	RENEWAL
1	Adult Entertainment Establishment	Zoning, By-law, Fire, Building	By-law, Fire
	Adult Entertainment Retail Establishment	Zoning, By-law, Fire, Building	By-law, Fire
2	Amusement Establishment	Zoning, Fire, Building	Fire
3	Bed & Breakfast	Zoning, Fire, Building	Fire
4	Catering Business	Zoning, Fire, Health, Building	Fire, Health
5	Food Establishment Business	Zoning, Fire, Health, Building	Fire, Health
6	Outdoor Food Sales Business	Zoning, By-law, Health, Fire	By-law, Fire, Health
7	Holistic Services – Owner	Zoning, By-law, Building, Health, Fire	By-law, Fire, Health
	Practitioner/ Operator	n/a	By-law
8	Hotel Establishment	Zoning, By-law, Building, Fire	Fire
9	Pawnbroker	Zoning, Fire, Building	n/a
10	Personal Service Establishment	Zoning, By-law, Fire, Health, Building	By-law, Fire, Health
11	Private Parking Agent	By-law	n/a
12	Public Assembly Hall	Zoning, Fire, Health, Building	Fire, Health
13	Outdoor Merchandise Sales Business	Zoning, By-law, Fire, Health	By-law, Fire, Health
14	Driving Instructor	By-law	n/a
15	Donation Bin, Publication Dispensing Box	By-law	n/a
16	Taxicabs, Accessible Taxicabs and Limousines	By-Law	By-Law
17	Vehicle for Hire	By-law	By-law
18	Second-hand Goods and Salvage Goods	By-law	By-law
19	Payday Loan Establishments	Zoning, By-Law, Fire Building	Fire

Schedule "C"
being new SCHEDULE "19"
To City of Guelph By-law Number (2009)-18855

PAYDAY LOAN ESTABLISHMENT

The provisions of this Schedule shall apply in respect of Businesses which operate as Payday Loan Establishments

INTERPRETATION

1. In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meanings:

"CHARTERED BANK ANNUAL CONSUMER LOAN RATE" means the most recent chartered bank – consumer loan rate set out in Table 176-0043 of the Bank of Canada Financial Market Statistics.

"PAYDAY LOANS ACT, 2008" means the *Payday Loans Act*, 2008, S.O. 2008, c.9. as amended, and includes any Regulations passed under it.

"PAYDAY LOAN ESTABLISHMENT" means any Premises or any part of them in respect of which a licensee within the meaning of the *Payday Loans Act*, 2009 may operate a business pursuant to a licence issued under that Act.

"PROVINCIAL PAYDAY LOAN LICENCE" means a lender or broker licence issued under the *Payday Loans Act*, 2008

General Conditions

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

3. No Person shall own or operate a Payday Loan Establishment without a valid Provincial Payday Loan Licence and Business Licence under this Schedule.

Application Requirements

4. Before a Business Licence under this Schedule may be issued, in addition to complying with the requirements set out in this Schedule, every Applicant for such Business Licence shall submit the following for an approval of the Issuer of Licences:

- (a) The name of the owner;
- (b) The address of the proposed location where the owner is seeking to operate a Payday Loan Establishment for which a Business Licence is being sought under this Schedule;
- (c) Proof that the Applicant has a current and valid Provincial Payday Loan Licence;
- (d) Accurate, scale representation of the posters that will be displayed in accordance with sections 13 and 14;
- (e) The credit counselling information that will be given in accordance with section 15 of this Schedule; and
- (f) Criminal Record and Judicial Matters Check; and
- (g) Such other information as may be required by the Issuer of Licences.

Licensee Requirements

5. A Licensee shall:

- (a) Inform the Issuer of Licences immediately if the Licensee's Provincial Payday Loans Licence is suspended, ceases to be valid, is revoked or expires;
- (b) Only operate only at the location authorized by the Business Licence issued under this Schedule.
- (c) Cease operating at a location authorized by a Business Licence issued under this Schedule if the Licensee's Provincial Payday Loans Licence

or the Business Licence issued under this Schedule has been suspended, ceases to be valid, is revoked or expires.

6. No Licensee shall advertise their Payday Loan Establishment on City property, including the property of City's Agencies, Boards, and Commissions.

Location and Number of Licence Restricted

7. No new Business Licence shall be issued under this Schedule if the proposed location of the Payday Loan Establishment is:

- (a) is in a location that is not permitted under the Zoning By-Law;
- (b) located within 1,000 meters of another Payday Loan Establishment licenced under this Schedule; or
- (c) located within 150 meters of any schools of all types (arts, commercial, elementary, post-secondary, private, public, secondary, and post-secondary) and City parks.

8. No new Payday Loan Establishment shall be issued a Business Licence for a location listed in section 12.

9. No more than six (6) Payday Loan Establishment Business Licences shall be issued in the City of Guelph

10. No more than one (1) Payday Loan Establishment Business Licence shall be issued in any ward of the City of Guelph.

11. Despite sections 7, 8, 9 and 10 of this Schedule, any Payday Loan Establishment existing and in actual use on the date this Schedule comes into effect and listed in section 12 may continue to operate in the same location provided:

- (a) The operator obtains a Payday Loan Establishment Business Licence by March 31, 2022;
- (b) The Business is operated continuously as a business licenced under the Payday Loans Act 2008;
- (c) The Business is, at all times, operated in compliance with this Schedule and all applicable municipal, provincial and federal laws; and
- (d) The Payday Loan Establishment Business Licence is renewed annually as required by this Schedule.

12. The Payday Loan Establishments existing on the date this Schedule comes into effect are at the following locations and are eligible to be licenced under this Schedule:

- (a) 78 Gordon Street, Guelph;
- (b) 221 Woodlawn Road West, Unit B7, Guelph;
- (c) 206 Silvercreek Parkway North, Unit 1, Guelph;
- (d) 474 Woodlawn Road East, Guelph;
- (e) 106 Silvercreek Parkway North, Unit 5, Guelph;
- (f) 650 Scottsdale Drive, Unit 4; Guelph, and
- (g) 130 Silvercreek Parkway North, Guelph.

Poster for Rates

13. Every Payday Loan Establishment shall display a poster at each of the offices authorized by its Provincial Payday Loan Licence that:

- (a) has been approved in advance by the Issuer of Licences;
- (b) is in English;
- (c) is visible to any person immediately upon entering the office;
- (d) is of minimum size of 61 centimeters in width by 91 centimeters in length; and

- (e) consists of:
 - (i) in 144 point font, a heading setting out the words "Our Annual Interest Rate" and the amount of the Payday Loan Establishment's annual interest rate, which may be shown on a replaceable card attached to the face of the poster or by any other similar means, immediately below the heading;
 - (ii) in 144 point font, a heading setting out the words "Chartered Bank – annual Consumer Loan Rate" and the Chartered Bank Annual Consumer loan rate, which may be shown on a replaceable card attached to the face of the poster, immediately below the heading; and
 - (iii) in 34 point font and below 13(e)(i) and 13(e)(ii) the words "This Poster is required under Schedule 19 of the City of Guelph's By-Law No. (2009)-18855, being a By-law respecting the licencing of Businesses."

Poster for Credit Counselling

14. Every Payday Loan Establishment shall display a poster at each of the offices authorized by its Provincial Payday Loan Licence that:

- (a) has been approved in advance by the Issuer of Licences;
- (b) is in English;
- (c) is visible to any person immediately upon entering the office;
- (d) is of a minimum size of 61 centimeters in width by 91 centimeters in length; and
- (e) consists of:
 - (i) in 144 point font, a heading setting out the words "Credit Counselling";
 - (ii) in 144 point font, a heading setting out the word "Contact" followed by one or more of the following credit counselling agencies:
 - (1) Credit Counselling Canada;
 - (2) Canadian Association of Credit Counselling Services;
 - (3) Ontario Association of Credit Counselling Services;
 - (4) Canadian Association of Independent Credit Counselling Agencies;

together with their respective telephone number and email address; and
 - (iii) in 34 point font and below 14(e)(i) and 14(e)(ii) the words "This poster is required under Schedule 19 of the City of Guelph's By-Law No. (2009)-18855, being a By-law respecting the licencing of Businesses."

Credit Counselling Information

15. Every Payday Loan Establishment shall ensure that each person who attends at its offices, is given, immediately upon such person expressing an interest in a loan, credit counselling information that has been approved in advance by the Issuer of Licences.

This Schedule shall come into force and effect on January 1, 2022.

SCHEDULE "D"
being new Schedule "C"
To City of Guelph By-law Number (2009)-18855

CRIMINAL RECORD AND JUDICIAL MATTERS CHECK REQUIREMENTS

1. This Schedule shall apply to those Persons who are required to provide a Criminal Record and Judicial Matters Check with their Application for a Business Licence.
2. The Criminal Record and Judicial Matters Check accepted by the Issuer of Licences shall meet the following requirements:
 - (a) must be an original copy;
 - (b) must be obtained by an Applicant;
 - (c) If the Applicant is a partnership, a completed Criminal Record and Judicial Matters Check must be obtained for each partner;
 - (d) If the Applicant is a corporation, a completed Criminal Record and Judicial Matters Check must be obtained for each director or officer of the corporation and for any shareholder who holds more than 30% of the issued shares in the corporation; and
 - (e) have an issue date no greater than 280 days prior to the Application. An issue date of greater than 280 days will not be accepted.
3. The Criminal Record and Judicial Matters Check shall be completed by the Canadian Police Service or by a police service in the country where the Applicant currently resides. Criminal Record and Judicial Matters Check completed by a third party agency will not be accepted.