



COURT OF APPEAL FILE NOS. CA48501 and CA48504
City of Vancouver vs. 0733603 B.C. Ltd.
Intervener's Factum

COURT OF APPEAL

ON APPEAL FROM THE ORDER OF THE HONOURABLE JUSTICE DOUGLAS OF
THE SUPREME COURT OF BRITISH COLUMBIA PRONOUNCED AUGUST 3, 2022

BETWEEN:

CITY OF VANCOUVER

APPELLANT
(Respondent)

AND:

0733603 B.C. LTD.

RESPONDENT
(Petitioner)

AND:

RENTAL HOUSING COUNCIL OF B.C. dba LANDLORDBC, TENANT RESOURCE
AND ADVISORY CENTRE, COMMUNITY LEGAL ASSISTANCE SOCIETY,
TOGETHER AGAINST POVERTY SOCIETY, AND DOWNTOWN EASTSIDE SRO
COLLABORATIVE

INTERVENORS

-AND-

BETWEEN:

CITY OF VANCOUVER

APPELLANT
(Respondent)

AND:

PENDER LODGE HOLDINGS LTD.

RESPONDENT
(Petitioner)

AND:

RENTAL HOUSING COUNCIL OF B.C. dba LANDLORDBC, TENANT RESOURCE
AND ADVISORY CENTRE, COMMUNITY LEGAL ASSISTANCE SOCIETY,
TOGETHER AGAINST POVERTY SOCIETY, AND DOWNTOWN EASTSIDE SRO
COLLABORATIVE

INTERVENORS

INTERVENER'S FACTUM
Rental Housing Council of B.C. dba LandlordBC

City of Vancouver

Grant Murray
Legal Services, City of Vancouver
453 West 12th Avenue,
Vancouver BC V5Y 1V4
Telephone: 604-873-7119
Email: grant.murray@vancouver.ca
Counsel for Appellant

0733603 B.C. Ltd.

Craig Ferris, K.C. and Thomas D. Boyd
Lawson Lundell LLP
1600-925 West Georgia Street
Vancouver BC V6C 3I2
Telephone: 604-631-9197
Email: cferris@lawsonlundell.com
tboyd@lawsonlundell.com
Counsel for the Respondent

Pender Lodge Holdings Ltd.

Evan Cooke
Eyford Partners LLP
2207-3500 Carrington Road
West Kelowna BC V4T 3C1
Telephone: 778-754-7525
Email: ecooke@eyfordpartners.com
Counsel for Respondent

**Rental Housing Council of B.C. dba
LandlordBC**

Michael Drouillard and Brett Love
Drouillard Lawyers
Suite 1910, 777 Hornby Street
Vancouver BC V6Z 1S4
Telephone: 604-757-6389
Email: mld@drouillardlawyers.com
abl@drouillardlawyers.com
Counsel for Intervener

**Tenant Resource and Advisory Centre,
Community Legal Assistance Society,
and Together Against Poverty Society**

David W. Wu, Claire Kanigan, and Julia
Riddle
Arvay Finlay LLP
1512-808 Nelson Street
Box 2149 Nelson Square
Vancouver, BC V6Z 2H2
Telephone: 604-696-9828
Email: dwu@arvayfinlay.ca
ckanigan@arvayfinlay.ca
jriddle@arvayfinlay.ca
Counsel for Interveners

Downtown Eastside SRO Collaborative

Rebecca Kantweg
Victory Square Law Office LLP
710-777 Hornby Street
Vancouver, BC V6Z 1S4
Telephone: 604-602-7982
Email: krantweg@vslo.ca
Counsel for Intervener

TABLE OF CONTENTS

TABLE OF CONTENTS 3
OPENING STATEMENT 4
PART 1- STATEMENT OF FACTS 5
PART 2 – ISSUES ON APPEAL..... 5
PART 3 – ARGUMENT..... 6
PART 4 – NATURE OF ORDER SOUGHT 14
APPENDICES: LIST OF AUTHORITIES 15
APPENDICES: ENACTMENTS..... 16

OPENING STATEMENT

LandlordBC intervenes on this appeal to provide submissions with respect to subsidiarity. Subsidiarity is the principle that when two levels of government have concurrent legislative jurisdiction, law-making and implementation are often best achieved at the level of government that is not only effective, but also closest to the citizens affected and thus most responsive to their needs, to local distinctiveness, and to population diversity.

LandlordBC submits that subsidiarity does not mean that the more local level of government is always the most effective at achieving the purpose law-making and implementation is designed to achieve. The local government is also not necessarily the most responsive to affected citizens' needs or to local distinctiveness and population diversity.

The impugned by-law establishes maximum rent increases between tenancies for privately owned, single room accommodations ("**SRAs**"). LandlordBC submits that the Province, not the City of Vancouver ("**City**"), is the level of government that is able to most effectively legislate with respect to rent increases for all residential housing in British Columbia, and is most responsive to the needs of all citizens affected by the impugned by-law, as well as to local distinctiveness and population diversity.

Although homelessness is a crisis which requires municipalities to think creatively to respond to the rapidly increasing cost of housing, LandlordBC submits that the impugned by-law will have significant unintended consequences which will exacerbate this problem. These consequences include displacing the most marginalized citizens which the impugned by-law was designed to protect, placing private SRA owners in the impossible position of attempting to maintain aging SRA buildings in a condition that meets housing and safety standards, and forcing private SRA owners to attempt to provide social supports for a vulnerable population that they are ill-equipped to provide in a safe manner which preserves these individuals' dignity.

The Province is best placed to implement legislative and policy measures to try to maintain affordable housing while also implementing other necessary, complementary policies to ensure that these unintended consequences are mitigated.

PART 1- STATEMENT OF FACTS

1. On December 8, 2021, the City of Vancouver (the “**City**”) enacted By-law No. 13182: A By-law to amend the License By-Law No. 4450 Regarding Vacancy Control, to add section 25.1A to License By-law No. 4450 (the “**Vacancy Control By-law**”).

Joint Appeal Book (“**JAB**”), 1st Affidavit of Katrina Leckovic, made February 22, 2022 [“**Leckovic Affidavit**”] at Exhibit A, p. 2-5 [JAB 5-8].

2. The Vacancy Control By-law limits the maximum amount that rent may be increased between tenancies for buildings in the City designated as single room accommodation (“**SRA**”). Rental increases during a given tenancy are calculated according to the formula established by the *Residential Tenancy Act*, S.B.C. 2002, c. 78 (the “**RTA**”).

JAB, Leckovic Affidavit at Exhibit A, section 25.1A, p. 3-5 [JAB 6-8].

3. The Vacancy Control By-law only applies to privately owned SRAs. The “government, its agencies or government owned corporations” are exempt.

JAB, Leckovic Affidavit at Exhibit A, section 25.1A(1), p. 3 [JAB 6].

4. The Rental Housing Council of British Columbia dba LandlordBC (“**LandlordBC**”) is a non-profit association in BC with the primary purpose of facilitating the provision of safe, secure and sustainable long-term rental housing for British Columbians.

1st Affidavit of David Hutniak, made December 8, 2022 at paras. 5-6.

PART 2 – ISSUES ON APPEAL

5. LandlordBC was granted leave to intervene to provide submissions with respect to subsidiarity. LandlordBC submits the chambers judge did not err in concluding that subsidiarity does not apply on the facts at issue in the decision under appeal. More specifically, it is LandlordBC’s position that this Court may only consider subsidiarity if

it first concludes that the City and the Government of British Columbia (the “**Province**”) have concurrent jurisdiction to regulate residential tenancies in British Columbia.

6. In the event this Court determines that the City and Province do have concurrent jurisdiction to regulate residential tenancy matters in British Columbia, it is LandlordBC’s position that subsidiarity must be applied using the criteria described by the Supreme Court of Canada (the “**SCC**”) in *114957 Canada Ltée. (Spraytech, Société d’arrosage) v. Hudson (Town)*, 2001 SCC 40 [“**Spraytech**”].

PART 3 – ARGUMENT

Subsidiarity does not mean that the most local level of government is always best positioned to achieve effective law-making and implementation

7. Subsidiarity is the principle that “law-making and implementation are **often** best achieved at a level of government that is not only effective, but also closest to the citizens affected and thus most responsive to their needs, to local distinctiveness, and to population diversity”.

Spraytech at para. 3 [emphasis added].

8. Subsidiarity does not always favour the local government. If the SCC intended that subsidiarity would prefer the local government in every case, the word “always” would have been used instead of “often”. Clearly, the SCC contemplated circumstances where law-making and implementation are not best achieved by the local government.
9. The most local government, such as a municipality, will not necessarily be “equipped or appropriate to oversee every policy area that touches a municipality; instead, there must be an assessment based on the needs and resources in question”.

Alexandra Flynn, “Operative Subsidiarity and Municipal Authority: The Case of Toronto’s Ward Boundary Review” (2019) 56:2 Osgood Hall Law Journal 271 [“**Operative Subsidiarity**”] at 280 (2019 CanLIIDocs 4140).

Subsidiarity may only be applied when two levels of government have concurrent legislative jurisdiction. Subsidiarity does not grant municipalities authority where none exists

10. Subsidiarity is intended to secure respect for municipalities as governments and representatives of their local constituents, but it takes subsidiarity too far to invoke this principle to grant authority to municipalities that is not supported by its enabling statute.

Operative Subsidiarity at 286-287.

11. Before considering which level of government is best positioned with respect to law-making and implementation, the court must be assured that both levels of government have the jurisdiction to create laws within a particular sphere of legislative competence. Concurrent jurisdiction is necessary because municipalities exercise the authority granted to them by their enabling legislation. Subsidiarity does not change this.

Toronto (City) v. Ontario (Attorney General), 2021 SCC 34 (para. 2).

12. The appellant argues that subsidiarity should be applied to determine whether the City and Province have concurrent jurisdiction: “The subsidiarity principle ought to be applied to resolve an ambiguity as to whether a municipality has the statutory authority to enact residential tenancy rules that complement the rules in the *RTA*”.

Appellant’s Factum at para. 36.

13. Subsidiarity cannot be considered until the court is satisfied that there is concurrent jurisdiction between two levels of government. It therefore cannot be considered to determine whether concurrent jurisdiction exists in the first place.

14. A court must determine whether the City was empowered by the *Vancouver Charter* to enact the Vacancy Control By-law before subsidiarity is considered. This is exactly what the chambers judge did. She considered that the “central question” was whether the City had legislative authority to prohibit rent increases between tenancies, pursuant to the *Vancouver Charter*, S.B.C. 1953, c. 55 (“**Vancouver Charter**”) (para. 2).

0733603 B.C. Ltd. v. City of Vancouver, 2022 BCSC 1302 [“**Chambers Decision**”].

15. The chambers judge concluded that the City did not have authority to enact the Vacancy Control By-law as a result of section 272(1)(f) of the *Vancouver Charter*, which granted the City the authority to enact bylaws regulating every person requiring a business license “except to the extent that the person is subject to regulation in some other Statute”. She concluded (at para. 62):

Where there is a legislative direction limiting the municipal scope of authority, the pith and substance or dominant purpose analysis set out in *Canadian Plastic Bag BCCA* applies. By contrast, if the municipality’s enabling legislation (as in *New Westminster BCSC*) expressly incorporates a different test (including, for example, the *Multiple Access* or impossibility of dual compliance standard) that test applies.

16. The chambers judge did not err in concluding that the *Vancouver Charter* requires a “pith and substance” analysis of the Vacancy Control By-law. Section 272(1)(f) means that if another statute already provides for regulation with respect to a given subject-matter, it acts as a limit on the scope of the City’s authority. Section 272(1)(f) distinguishes this Court’s decision in *New Westminster* because that decision was made pursuant to the *Community Charter*, S.B.C. 2003, c. 26, which specifically incorporates concurrent jurisdiction between a municipality and the Province (s. 10(2)).

1193652 B.C. Ltd. v. New Westminster (City), 2021 BCCA 176 [“***New Westminster***”]

17. The *RTA* regulates residential tenancies in British Columbia. The *RTA* therefore is “another Statute” described in section 272(1)(f) which limits or “carves out” the authority to regulate residential tenancies from the City’s authority to enact bylaws with respect to its business licensing authority pursuant to the *Vancouver Charter*.

18. The appellant argues that because the *RTA* is silent with respect to rent increases between tenancies, this essentially leaves a gap in the *RTA* for the City to fill with its Vacancy Control By-law, which only regulates rent increases between tenancies.

19. A response to this argument goes beyond the scope of LandlordBC’s submissions on subsidiarity. Therefore, LandlordBC will simply note that if the appellant’s argument were accepted by this Court, it would never be open to any government to deliberately

exclude anything from its legislation, without express language in all cases, and the implied exclusion principle of statutory interpretation would have no meaning.

Subsidiarity must be applied by considering specific criteria to determine whether law-making and implementation are best achieved at the local level of government

20. To apply subsidiarity meaningfully, this Court needs some means of determining when its conditions are satisfied. This Court needs criteria to determine when law-making and implementation are best achieved at the local level.

Hoi L. Kong, “Subsidiarity, Republicanism, and the Division of Powers in Canada” (2015) 45:1-2 *Revue de Droit de L’Université de Sherbrooke* 13 at 30 (2015 CanLIIDocs 441).

21. The SCC held that “law-making and implementation are often best achieved at a level of government that is not only **effective**, but also **closest to the citizens affected** and thus **most responsive to their needs**, to **local distinctiveness**, and to **population diversity**”.

Spraytech, para. 3 [emphasis added].

22. The jurisprudence does not provide much guidance on how to determine whether a given level of government is “effective” or which level of government is closest to the “citizens affected” and therefore most responsive to their needs, to local distinctiveness, and to population diversity. However, a careful reading of the SCC’s description of subsidiarity in *Spraytech* provides some indication of that court’s meaning with respect to these issues.

23. With respect to “effective”, it is reasonable to assume that the SCC was using the plain meaning of the word: 1. Producing an intended result. 2 (of a law or policy) operative. 3. Existing in fact, though not formally acknowledged as such

The Oxford English Dictionary, 7th ed., *sub verbo* “effective”.

24. To determine which level of government is “effective”, this court must consider the purpose of the law at issue and what outcome the law is intended to achieve to determine whether it has produced the intended result.

25. The Vacancy Control By-law was intended to “discourage speculative investment, slow rent increases, and discourage displacement of very low-income tenants into homelessness”.

Leckovic Affidavit at Exhibit R, p. 379 [JAB 0382]; 1st Affidavit of Celine Mauboules, made February 23, 2022 [**Mauboules Affidavit**] at Exhibit K, p. 633-634 [JAB 1197-1198].

26. Pender Lodge Holdings Ltd. (“**Pender Lodge**”) provided evidence that the Vacancy Control By-law would have the unintended consequence of further marginalizing and displacing the very lowest income tenants that the Vacancy Control By-law purports to protect. This is because the lowest income tenants most at risk of homelessness are perceived as the most likely to cause financial losses to the owners of SRA buildings.¹

1st Affidavit of Peter Thanas, made January 5, 2022 [**Thanas Affidavit**] at Exhibit J, p. 103-105 [JAB 1401-1403].

27. The Vacancy Control By-law keeps SRA rents at lower than market value, creating a “value gap” between market rents and SRA rents. This “value gap” will attract an over abundance of moderate-income tenants (perceived as lower financial risk to owners) who want to take advantage of the artificially lowered rents of SRAs.

Thanas Affidavit at Exhibit J, p. 103-105 [JAB 1401-1403].

28. Owners are more likely to select tenants they perceive as lower risk, leading to the unintended consequence of displacing the very tenants the Vacancy Control By-law was designed to protect. These “unintended consequences” are consistent with the Report from the General Manager of Arts, Culture and Community Services to the

¹ It is not LandlordBC’s submission that the lowest income tenants represent the highest risk of financial loss to owners of private property. LandlordBC’s position is that this perception, whether correct or incorrect, will impact and influence the behaviour of private property owners with respect to the tenants they select to fill vacant units.

Standing Committee on Policy and Strategic Priorities dated June 22, 2022 (“**Report to Standing Committee**”):

Rent restrictions on private rental housing are challenging to implement and monitor, **and can have significant, unintended consequences for tenants and operators**. In light of this, past Council policy and practice has prioritized advocating for senior government investment in new social housing and operating agreements, and for an increase to the shelter component of social assistance to a level that could enable private operators to adequately operate, maintain and renew SRO buildings.

Mauboules Affidavit at Exhibit K, p 632 [JAB 1196] [emphasis added]

29. The Vacancy Control By-law also has the effect of putting SRA owners in a position to attempt to house and support a population with complex needs that most owners are ill equipped to support.
30. The “Single Room Occupancy (SRO) Revitalization Action Plan” (the “**SRO Action Plan**”) notes that SRAs have an “acute need to deliver adequate supports to tenants struggling with mental health and substance abuse challenges” and “[m]ost private SRO owners are not equipped to address the needs of a vulnerable tenant population”.

Mauboules Affidavit at Exhibit H, p. 400 [JAB 0958].

31. Private SRA owners are ill equipped to provide the social supports necessary for these vulnerable tenants to be housed with adequate safety and dignity. Providing these supports is properly the place of government agencies with resources and staff trained to best support this vulnerable population.
32. Finally, the Vacancy Control By-law may put private SRA owners in a position where they can no longer afford the cost of maintaining SRAs. The Report to Standing Committee noted that “SRO hotels are difficult to properly maintain and manage at rents affordable to very low-income individuals without significant direct public investment in revitalization and operations, or indirectly through increasing the shelter rate component of social assistance”.

Mauboules Affidavit at Exhibit K, p. 622 [JAB 1186].

33. The SRO Action Plan also acknowledges that buildings in the private sector should not be subject to the same expectations around affordability and tenant supports without additional incentives or interventions: “In the absence of a large-scale government investment or some other subsidy in the building, the only current sustainable model for these buildings is to serve a higher-income, stable tenant base”.

Mauboules Affidavit at Exhibit H, p. 418 [JAB 0976].

34. Essentially, given the possibility for rent restrictions to lead to significant, unintended consequences for tenants, including displacement, inability to meet complex needs in a safe and dignified manner, and that SRAs would be very difficult to properly maintain and manage at an artificially reduced rent, the Vacancy Control By-law should not have been implemented without corresponding public investments.

35. The Province determines the shelter rate component of social assistance and could also implement corresponding public investments to mitigate the risk of unintended consequences and address the problems identified in the SRO Action Plan and the Report to Standing Committee while maintaining adequate rental housing supply. The Province is therefore the level of government best suited to effectively implement policy and legislation to support the most vulnerable SRA tenants, because it could do so while also implementing these additional policy changes.

36. The Report to Standing Committee concluded that the Province was “optimally positioned” to enforce rent increase restrictions in SRA stock.

Mauboules Affidavit at Exhibit K, p. 632, [JAB 1196].

37. The Province considered whether rent increases should be tied to the unit rather than the tenancy (effectively regulating rent increases between tenancies), and concluded that rent increases should remain tied to the tenancy, due to the potential adverse effects such a policy could have on existing and new rental housing supply.

Mauboules Affidavit at Exhibit I, p. 611, [JAB 1173]; 1st Affidavit of Stephanie Ringham, made January 5, 2022 at Exhibit E, Recommendation 10 at p. 44 [JAB 1491].

38. For all the reasons noted above, the most effective level of government, or the one that is best positioned to produce the intended result, is the Province.
39. Considering whether legislation is most responsive to the needs of “affected citizens”, it is important to note that the SCC did not say “local citizens”. Instead, the SCC used the broader term of “affected citizens”. Therefore, it is reasonable to assume that the SCC intended courts to consider whether legislation is responsive to the needs of all affected citizens, both locally and more broadly, not just citizens in the local jurisdiction.
40. Affected citizens of the Vacancy Control By-law would include not only current residents of Vancouver who may live in SRAs, either as extremely low-income individuals or residents who would live in the updated, more expensive SRAs (e.g., students and other moderate-income residents), private owners of SRAs, and any future Vancouver residents who may choose to occupy this type of housing.
41. The Vacancy Control By-law only considers one group of the above-noted affected citizens: extremely low-income individuals. It does not consider the impacts on moderate income residents or private owners of SRAs. Communications from the former City Councillor who introduced the Vacancy Control By-law, Jean Swanson, to the former Minister of Municipal Affairs and Housing indicates that the Vacancy Control By-law was intended to devalue SRA buildings, at the expense of the owners of these buildings:

SRO vacancy control could make it easier for the government to acquire SROs: SRO hotels are actually advertised for sale on the basis that they are “micro-units” and that rents can easily be raised. Because of this, the value of the hotel increases. With vacancy control in SROs, this value would decrease, and it would be less expensive for the province to buy them to keep them in the public realm, improve management and prevent homelessness.

3rd Affidavit of Stephanie Ringham, made March 15, 2022 at Exhibit B, p. 33 [JAB 2008].

42. This communication demonstrates how a more distant level of government may be better suited to implement rent restrictions. The Province can balance the financial needs of owners of SRA buildings in order to maintain these buildings and keep SRAs available for rent against the needs of tenants for affordable housing, while also implementing the necessary social supports. This email indicates that the City may be too close to the problem and cannot objectively balance these competing interests.
43. Finally, with respect to “local distinctiveness” and “population diversity” the Vacancy Control By-Law is intended to benefit a single segment of the population of Vancouver; extremely low-income residents. It is explicitly not intended to benefit anyone else, despite a clear market for SRAs and their attractiveness to other Vancouver residents, such as moderate income individuals who would rather live in an SRA or a “micro-unit” as opposed to living with roommates or leaving the City entirely.
44. Given the Vacancy Control By-laws extremely narrow focus on only the lowest income Vancouver residents at the expense of all other affected citizens, the by-law does not appear to be responsive to either “population diversity” or “local distinctiveness”.
45. LandlordBC submits that if this Court considers it appropriate to apply subsidiarity in this case, that principle does not favour the City as the level of government best suited to enact regulations in the area of rent control for residential tenancies.

PART 4 – NATURE OF ORDER SOUGHT

46. LandlordBC seeks leave to present oral argument not exceeding 20 minutes at the hearing of the appeal. LandlordBC takes no position on the orders sought by the Appellant, asks that no costs be ordered against it, and seeks no order of costs.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated: February 14, 2023


Michael L. Drouillard and Brett Love

APPENDICES: LIST OF AUTHORITIES

Authorities	Page # in factum	Para # in factum
<i>0733603 B.C. Ltd. v. City of Vancouver</i> , 2022 BCSC 1302	7	14
<i>114957 Canada Ltée. (Spraytech, Société d'arrosage) v. Hudson (Town)</i> , 2001 SCC 40	6	6
<i>1193652 B.C. Ltd. v. New Westminster (City)</i> , 2021 BCCA 176	8	16
<i>Toronto (City) v. Ontario (Attorney General)</i> , 2021 SCC 34	7	11
Alexandra Flynn, "Operative Subsidiarity and Municipal Authority: The Case of Toronto's Ward Boundary Review" (2019) 56:2 Osgood Hall Law Journal 271 (2019 CanLIIDocs 4140)	6	9
Hoi L. Kong, "Subsidiarity, Republicanism, and the Division of Powers in Canada" (2015) 45:1-2 Revue de Droit de L'Université de Sherbrooke 13 (2015 CanLIIDocs 441)	9	20

APPENDICES: ENACTMENTS

COMMUNITY CHARTER

[SBC 2003] CHAPTER 26

Relationship with Provincial laws

- 10** (1) A provision of a municipal bylaw has no effect if it is inconsistent with a Provincial enactment.
- (2) For the purposes of subsection (1), unless otherwise provided, a municipal bylaw is not inconsistent with another enactment if a person who complies with the bylaw does not, by this, contravene the other enactment.

VANCOUVER CHARTER

[SBC 1953] CHAPTER 55

By-laws respecting business regulation and licensing

- 272** (1) The Council may from time to time make by-laws

Licensing

- (a) for providing for the licensing of any person carrying on any business, trade, profession, or other occupation;

Fixing fees

- (b) for fixing the fee for the granting of any permit or of any licence, which may be in the nature of a tax for the privilege conferred by it;

Enforcement

- (c) for providing for enforcing payment of any licence fee, and for prohibiting any person from carrying on any business, trade, profession, or other occupation without first being licensed therefor;

Regulating fuel-dealers, hours of delivery, weigh-scales

- (d) for regulating persons who sell or deliver fuel, or offer the same for sale or delivery, and for regulating the dimensions and capacity of the boxes or containers on vehicles in which fuel is delivered and for requiring that the

capacity of each such box or container shall be plainly marked thereon, and for requiring such persons to furnish a statement with each delivery of fuel showing its price and description and such other information as the by-law may direct, and for providing for the seizure and forfeiture of fuel offered or intended for sale which does not comply with any provision of the by-law, and for regulating the delivery of fuel during certain hours and in certain areas as designated in the by-law, and for establishing and maintaining public weigh-scales and for fixing the fees to be taken for their use;

Special licence re vehicles

- (e) for licensing every person using upon any street any vehicle for the purpose of any business, trade, profession, or other occupation, and for classifying such vehicles and giving effect to such classification in fixing the licence fee;

Extent of regulation

- (f) for regulating every person required to be licensed under this Part, except to the extent that the person is subject to regulation by some other Statute;

Weight to be fixed, to be labelled, and wrapped, and regulated as to delivery

- (g) for fixing the weights of loaves or packages of bread sold or offered for sale, and for prohibiting the sale of such loaves or packages having weights other than those so fixed, and for requiring that all bread offered for sale shall bear a label showing the name and address of its manufacturer and the weight thereof, and for requiring that all bread offered for sale shall be wrapped in such manner as is prescribed in the by-law, and for regulating the manner of handling and delivering bread in and from bakeries, stores, and vehicles, and for authorizing the seizure and forfeiture of bread which does not comply with any provision of the by-law;

Licences in respect of dogs

- (h) for licensing every person who owns, possesses, or harbours any dog;

Transfer of licences

- (i) for regulating the transfer of a licence from a person holding a licence to some other person, and, where permission is given, for prescribing the terms thereof;

Revocation

- (j) for revoking or suspending any licence;

Delegation of power to grant licences

- (k) for delegating to the Chief Licence Inspector, where deemed proper, the power to grant a licence in cases where the Inspector is satisfied that the applicant therefor has complied with the requirements of the relevant by-laws;

Fixing times for payment

- (l) for fixing times for the payment of licence fees, and for fixing and imposing a penalty upon persons required to be licensed who fail to pay the licence fee by the times so fixed;

Vending-machines

- (m) for licensing persons who make available for the operation by other persons any lawful automatic or slot machine used, or intended to be used, for the purpose of vending merchandise or services. The persons so licensed may be the owners of such machines or may be the occupiers of the premises where they are operated;

Members' clubs

- (n) for licensing, regulating, and defining clubs which are not subject to being licensed under this Part as carrying on a business, and for requiring such clubs at all times to have a manager and for licensing such manager;

Solicitors for charity, etc.

- (o) for licensing persons who solicit or collect gifts or alms, or the promise thereof, for others, whether in the form of money, merchandise, or otherwise, and for preventing such soliciting or collecting on any street without a permit issued under the provisions of the by-law;

Charitable and other shows, etc.

- (p) for licensing persons who conduct or manage bazaars, shows, exhibitions, and entertainments for, or represented to be for, charity or any humanitarian, philanthropic, or patriotic object;

Licensee not to discriminate

- (q) for providing that a licensee under this Part must not refuse to sell goods or provide a service or accommodation to a person because of the person's race, creed, colour, religion, sex, sexual orientation, gender identity, gender expression, marital status, physical or mental disability, nationality, ancestry, place of origin or political beliefs;

Juveniles in poolrooms, etc.

- (r) regulating the presence of persons less than eighteen years of age in poolrooms, arcades, public dance-halls, billiard-halls, or bowling-alleys and defining any terms used in this clause.