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CITY OF TORONTO

BY-LAW No. 553-1998

To amend former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, with respect to the regulation of licensed boulevard marketing areas.

WHEREAS the *Municipal Act* and the *City of Toronto Act, 1993*(No. 3) provide City Council with the authority to lease or license portions of the boulevard to the owners or occupants of abutting commercial or industrial properties and impose terms and conditions upon the use of such licensed areas; and

WHEREAS City Council has required that goods sold in licensed boulevard marketing areas be the same or similar to those sold within the abutting business and has authorized the Commissioner of Works and Emergency Services to initiate the process to consider reduction of licensed marketing areas in certain locations;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code is amended by:

(1) Amending section 313-35 by:

(a) Adding to subsection B the following clause:

(9) The owner and occupant shall ensure that no goods are displayed or sold within the licensed portion of the boulevard except goods which are the same or similar to those sold within the abutting premises occupied by the owner or occupant.

(b) Adding two further subsections as follows:

F. Any holder of a licence under this section shall as of July 31, 1998 ensure that no goods are displayed or sold within the licensed portion of the boulevard except goods which are the same or similar to those sold within the abutting premises occupied by the owner or occupant.

G. (1) The Commissioner may, after providing the holder of a licence under this section with notice and an opportunity to be heard by the Committee, recommend to the Committee and Council that the size of the licensed area be reduced so as to ensure sufficient space for the safe passage of pedestrian traffic on the sidewalk.

- (2) Where Council directs that the size of the licensed area shall be reduced, subsection 313-35B(8) shall apply with respect to the reduction of the licensed area by the licensee.
- (2) Amending subsection 313-47A by adding the following clauses:
 - (9) As of July 31, 1998, the lessee or licensee shall ensure that no goods are displayed or sold within the licensed portion of the boulevard except goods which are the same or similar to those sold within the abutting premises occupied by the lessee or licensee.
 - (10) (a) The Commissioner may, after providing the holder of a licence under this section with notice and an opportunity to be heard by the Committee, recommend to the Committee and Council that the size of the licensed area be reduced so as to ensure sufficient space for the safe passage of pedestrian traffic on the sidewalk as required under clause (2).
 - (b) Where Council directs that the size of the licensed area shall be reduced, clause (7) shall apply with respect to the reduction of the licensed area by the licensee.

ENACTED AND PASSED this 31st day of July, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)