



**STAFF REPORT
ACTION REQUIRED**

**Revocation of a curb lane vending permit – 50 St. George
St 30.5 metres north of Russell Street**

Date:	June 11, 2007
To:	Toronto and East York Community Council
From:	Richard Mucha, Manager, Licensing Services, Municipal Licensing & Services
Wards:	Ward 20 – Trinity - Spadina
Reference Number:	

SUMMARY

This staff report is about a matter for which the Toronto East York Community Council has delegated authority from City Council to make a final decision.

To report on the revocation of a curb lane vending permit 2829T as a result of complaints received regarding the noise and odour being generated by the vehicle.

RECOMMENDATIONS

Toronto East York Community Council may recommend that the vending permit be revoked and in doing so authorize the refund of the balance permit fees paid for the 2007 – 2008 season.

Financial Impact

The annual fee for the permit term of May 1 to April 30 for the 2007 -2008 season is \$5,366.73 for curb lane vending location. The eligible refund amount, as a result of a revocation effective July 1, 2007, based on a pro-rated calculation for 9 months remaining in the permit term is \$4,025.04.

DECISION HISTORY

Mr. K. Ng, representing 1666812 Ontario Ltd., operating as Sam’s Coffee Wagon applied for a vending permit on October 18, 1989. The application was processed in accordance with the

provisions of former City of Toronto Municipal Code Chapter 315 and a curb lane vending permit to operate a coffee truck was issued to 1666812 Ontario Ltd on May 8, 1992.

Recently the vehicle associated with the above noted permit was changed from the coffee truck to a full service vending truck, serving coffee, hot chocolate, pop-corn, french fries, sausages, hamburgers, chicken burgers and fish burgers. A permit revision for the truck was issued to 1666812 Ontario Ltd. as requested by Mr. Fred Haywood, authorized signing agent for the above noted corporation.

ISSUE BACKGROUND

On April 24, 2007 an email message of complaint was received from Professor Greg Evans, P.Eng. PhD, Vice-Dean, Undergraduate Studies, Faculty of Applied Science and Engineering, outlining that the exhaust fumes and cooking odours are disturbing and are interfering with the air samples being taken in connection with his research. (**Attachment No. 2**)

On April 3, 2007 a letter of complaint was received from Angela Choi, Manager of the Department of Astronomy and Astrophysics at the University of Toronto outlining that the operation of the truck is causing noise and odour. The University building has no air conditioning and the windows are kept open during the summer months. (**Attachment No. 3**)

An on-site inspection of the vehicle revealed that the truck was operating in conformity with the permit issued, but the nature of the vending operation is causing concern and disturbance to the abutting building occupants.

Vending permits are processed in accordance with the provisions of former City of Toronto Municipal Code Chapter 315. There are no processes or provisions for the relocation of vendors. As such any alternate location would need to be processed as a new application.

As of March 2002 City Council imposed a moratorium on vending permits in Wards 20, 27 and 28, which is to remain in effect until such time as the vending by-law has been harmonized. This moratorium precludes Municipal Licensing and Standards from accepting any new application or issuing any new vending permits in the moratorium area.

COMMENTS

The vending permit should be revoked due to the impact on the abutting building occupants. There are no provisions in former City of Toronto Municipal Code Chapter 315 for the relocation of vending operations and the moratorium precludes accepting new applications in the moratorium area. Furthermore, in view of the complaints received, it would be unreasonable to assume that other property occupants in buildings in the immediate area would not suffer the same disturbance from the operation of the vending truck should the operation be relocated.

CONTACT

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SIGNATURE

Richard Mucha, Manager

LIST OF ATTACHMENTS

Attachments No. 1 - Photo licensed curblane location
Attachments No. 2 - Letter of complaint from the Professor Greg Evans
Attachments No. 3 - Letter of complaint from the Department of Astronomy and
Astrophysics