

Authority: Licensing and Standards Committee Item 28.2,
as adopted by City of Toronto Council on March 31 and April 1, 2010

Enacted by Council:

CITY OF TORONTO

Bill No. 491

BY-LAW No.

To amend By-law No. 18-97 of the former Borough of East York, to establish removal zones and regulate vending on Borough roads, to harmonize vending permit renewal dates with the associated business licence renewal date.

WHEREAS City Council has authorized amendments to the certain street vending by-laws in order to streamline the street vending permit renewal process by harmonizing street vending permit renewal dates with the associated business licence renewal dates;

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

1. By-law No. 18-97 of the former Borough of East York, "To establish removal zones and regulate vending on Borough roads", is amended as follows:

A. By deleting the definition of "Permit Year" from section 1 and substituting the following:

"Permit Year" means the 12 month period commencing on the first day of the term of a permit issued under this by-law.

B. By deleting section 10 and substituting the following:

SECTION 10 – PERMIT TERM AND RENEWAL

(a) Effective January 1, 2011, a permit issued under this by-law shall be issued for one Permit Year as follows:

(i) For permits requiring a business licence, the term and renewal date of the permit shall be harmonized to the term and anniversary of the date upon which the associated business licence was issued, and the permit fee shall be adjusted on a pro-rated basis to reflect the renewal date of the related business licence held by the permit holder;

(ii) For new vending permits issued after January 1, 2011 that do not require a business licence, the renewal date shall be the anniversary of the date upon which the permit was issued;

(iii) For new permits requiring a business licence issued in 2011 within 90 days prior to the business licence renewal date, the permit fees shall be increased on a pro-rated basis to align with the business licence renewal date of the following year; and

- (iv) For certainty, the renewal date for vending permits issued prior to January 1, 2011 which do not require a business licence, shall continue to be May 1.
 - (b) Any valid permit may be renewed annually by the permit holder if the permit holder is not in violation of this by-law and is not in breach of the agreement required under this by-law, and the annual fee, as adjusted by this by-law, is paid.
 - (c) A permit shall become null and void if the permit holder fails to occupy the Designated Area for a continuous period of 2 weeks within the months of May to August during the applicable Permit Year.
- C. By deleting section 12 and substituting the following:

SECTION 12 – TIME LIMIT FOR COMPLIANCE AND ISSUANCE OF PERMIT

- (a) Where a permit has been approved for issuance under this by-law, the applicant shall comply with section 7 through 9 and be otherwise eligible to receive the permit within sixty (60) days after the Commissioner has, under section 6(g), informed the applicant in writing that the application has been approved.
 - (b) Where an applicant referred to in subsection (a) has not complied with this by-law within the sixty (60) day period, the application shall be cancelled, and the Commissioner shall, in writing, inform the applicant thereof, and the permit shall not be issued unless the Commissioner authorizes an extension for compliance prior to an application for the same Designated Area being received by the Commissioner from another applicant.
- D. Section 1 of this by-law shall come into force on January 1, 2011.

ENACTED AND PASSED this day of May, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)