

Authority: Licensing and Standards Committee Item 12.1,
as adopted by City of Toronto Council on April 10 and 11, 2012
Enacted by Council: May 9, 2012

CITY OF TORONTO

BY-LAW No. 664-2012

To amend former City of Toronto Municipal Code Ch. 313, Streets and Sidewalks, to harmonize boulevard café and marketing permit renewal dates with the associated business licence renewal date.

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

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

1. Chapter 313, Streets and Sidewalks, of the Municipal Code of the former City of Toronto is amended as follows:
 - A. By amending § 313-35D by:
 - (1) Deleting Subsection (2) and replacing it with the following:
 - (2) A licence issued under this section shall, except as indicated in Subsection (4) of this Subsection, be issued on a yearly basis (April 1 to March 31), and the owner or occupant shall pay in advance an annual charge per square metre for any portion of the boulevard to be used for the purpose of the display and sale of merchandise, including the use of a temporary marketing enclosure for such purpose in the amount specified in Schedule A at the end of this chapter calculated for the following areas:
 - (a) Area 1, being an area composed of:
 - [1] The area bounded by and including Spadina Avenue, Spadina Crescent, Bloor Street West and East, Sherbourne Street, Lower Sherbourne Street and the Lakefront, excluding Area No. 2.
 - [2] The area bounded by and including Spadina Avenue, Dundas Street West, Bathurst Street and College Street.
 - [3] Yonge Street, from Bloor Street to North City limit.
 - [4] St. Clair Avenue East and West, from Avoca Avenue to Avenue Road.

[5] Eglinton Avenue East and West, from Mount Pleasant Road to Duplex Avenue.

- (b) Area 2, being an area bounded by and including York Street, University Avenue, Dundas Street West and East, Victoria Street, Colborne Street, Church Street, The Esplanade, Yonge Street and the Lakefront.
- (c) Area 3, being any portion or portions of the boulevard proposed to be used within any area not in Area 1 or Area 2.

(2) Adding the following:

- (4) Despite anything in this subsection, effective June 1, 2012, the following requirements shall apply to the renewal of permits under this section:
 - (a) 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;
 - (b) For permits issued after June 1, 2012 that do not require a business licence, the renewal date shall be the anniversary of the date of issuance of the permit; and
 - (c) For new permits which require a business license issued after June 1, 2012 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 in the following year.

B. By amending § 313-36 by:

(1) Deleting Subsection H and replacing it with the following:

H. A licence issued under this section shall, subject to the requirements of Subsection K, be issued on a yearly basis (April 1 to March 31), and the owner or occupant shall pay in advance an annual charge per square metre for any portion of the boulevard to be used for the purpose of the boulevard cafe in the amount specified in Schedule A at the end of this chapter calculated for the following areas:

- (1) Area 1, being an area composed of:
 - (a) The area bounded by and including Spadina Avenue, Spadina Crescent, Bloor Streets West and East, Sherbourne Street, Lower Sherbourne Street and the Lakefront, excluding Area No. 2.
 - (b) The area bounded by and including Spadina Avenue, Dundas Street West, Bathurst Street and College Street.
 - (c) Yonge Street, from Bloor Street to north City limit.
 - (d) St. Clair Avenue East and West, from Avoca Avenue to Avenue Road.
 - (e) Eglinton Avenue East and West, from Mount Pleasant Road to Duplex Avenue.
 - (2) Area 2, being an area bounded by and including York Street, University Avenue, Dundas Street West and East, Victoria Street, Colborne Street, Church Street, The Esplanade, Yonge Street and the Lakefront.
 - (3) Area 3, being any portion or portions of the boulevard proposed to be used within any area not in Area 1 or Area 2.
- (2) Adding the following subsection:
- K. Despite anything in this section, effective June 1, 2012, the following requirements shall apply to the renewal of permits under this section:
- (1) 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;
 - (2) For permits issued after June 1, 2012 that do not require a business licence, the renewal date shall be the anniversary of the date of issuance of the permit; and

- (3) For new permits which require a business licence issued after June 1, 2012 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 in the following year.
- (3) Adding the following to Subsection 313-47A:
- (11) Despite anything in this Subsection, effective June 1, 2012, the following requirements shall apply to the renewal of permits under this section:
- (a) 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;
- (b) For permits issued after June 1, 2012 that do not require a business licence, the renewal date shall be the anniversary of the date of issuance of the permit; and
- (c) For new permits which require a business licence issued after June 1, 2012 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 in the following year.
- (4) Deleting subsection (6) from Subsection 313-47B and replacing it with the following:
- (6) The terms and conditions in § 313-47A(5), (6), (7), (8) and (11) apply with necessary modifications.

2. Section 1 of this by-law shall come into force on June 1, 2012.

ENACTED AND PASSED this 9th day of May, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)