



STAFF REPORT ACTION REQUIRED

Refusal of a sidewalk boulevard vending permit application located at 123 Front Street West, South Side 53.2 metres West of York Street

Date:	May 24, 2012
To:	Toronto and East York Community Council
From:	Marcia Stoltz, Acting Manager, Municipal Licensing & Standards, Licensing Services
Wards:	Ward 20 Trinity - Spadina

SUMMARY

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

To report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a sidewalk boulevard vending permit located at 123 Front Street West, South Side 53.2 metres West of York Street.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Toronto and East York Community Council:

1. Deny the application for the proposed sidewalk boulevard vending permit located at 123 Front Street West, South Side 53.2 metres West of York Street.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On November 4, 2011, a letter was issued to the permit holder to vacate the sidewalk/boulevard vending location at 71 Front Street West South Side, 106.70M East of York Street (Union Station) due to the immediate impact of the construction required for the Union Station Revitalization Project and the concerns over safe pedestrian passage.

Given that the Project and associated construction are expected to last approximately four years, a report was prepared to the Toronto East York Community Council to recommend that the permits be cancelled and that reinstatement be considered once the project is completed.

Toronto and East York Community Council at its meeting held on January 10, 2012 cancelled the existing vending permits located on Front Street West between Bay Street and York Street as a result of the Union Station Revitalization Project and granted relief from the moratorium wards of 20, 27 and 28 for the affected vendors to apply for alternate temporary locations.

An application for sidewalk boulevard vending privileges, located in front of 123 Front Street West, South Side 53.2 metres West of York Street, was received on April 14, 2012. The application sought approval for a location comprising an area of 2.32 square metres in order to sell hot dogs, sausages and cold drinks. (**Appendix No. 1**)

The proposed sidewalk/boulevard vending location was previously licensed from 1999 – 2009. In 2009, the sidewalk/boulevard vending permit was cancelled due to non-payment of the permit fees.

Site inspection conducted on May 20, 2012 for the proposed sidewalk/boulevard vending location indicated that the pedestrian clearance of 3.66 metres cannot be maintained as required under the former City of Toronto, Municipal Code Chapter 315.

A refusal letter dated April 23, 2012 was sent to the applicant advising that the sidewalk boulevard vending application was denied.

A letter dated May 8, 2012 was received by Municipal Licensing & Standards from the applicant to appeal the decision of the denial of a sidewalk boulevard vending permit application.

In accordance with section 9B of the former City of Toronto Municipal Code Chapter 315, notification of the application was sent to the owners of buildings and occupants of businesses adjacent to the proposed designated area of the application seeking comments and providing fourteen (14) days from the date of notification to respond.

A letter of objection was received by Municipal Licensing & Standards from Oxford Properties Group outlining their concerns.

The exterior of the building will be undergoing extensive construction and cleaning in which scaffolding and hoarding will be erected on the public right of way for the protection of the public which is scheduled to begin shortly and last for approximately four (4) months.

In October 2007 a letter was sent to Municipal Licensing & Standards from Oxford Properties outlining their concerns with the vending location located in front of 123 Front Street West. The letter indicated that litter, odour and unacceptable pedestrian traffic congestion which impedes the flow of tenant traffic to and from the building during morning and afternoon rush periods was unacceptable and requested the sidewalk/boulevard vending cart be relocated.

An objection letter from the Entertainment District BIA was also received in the matter of the sidewalk/boulevard vending application.

COMMENTS

In accordance with the provisions of the former City of Toronto, Municipal Code, Chapter 315, the Commissioner cannot issue a sidewalk/boulevard vending permit as the desired location does not comply with the requirements of the former City of Toronto, Municipal Code, Chapter 315, Street Vending.

CONTACT

Pat Thornback
Acting Supervisor,
Municipal Licensing and Standards
Licensing Services
Telephone: (416) 392-3128 Fax: (416) 338-7225
E-mail: pthornba@toronto.ca

SIGNATURE

Marcia Stoltz,
Acting Manager
Municipal Licensing and Standards
Licensing Services

APPENDICES

- 1 Sketch of proposed vending location
- 2 .Photos of proposed vending location