



STAFF REPORT ACTION REQUIRED

Refusal of a sidewalk boulevard vending permit located at 10 Dundas Street East at Victoria Street, West Side, 6 metres south of Dundas Street East

Date:	May 25, 2012
To:	Toronto and East York Community Council
From:	Marcia Stoltz, Acting Manager, Municipal Licensing & Standards, Licensing Services
Wards:	Ward 27 Toronto Centre Rosedale

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 10 Dundas Street East, approximately 6 metres south on Victoria 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 10 Dundas Street East at Victoria Street, West Side, 6 meters south of Dundas Street West, based on the application not meeting the requirements as stated in Chapter 315.

Financial Impact

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

DECISION HISTORY

An application for sidewalk boulevard vending privileges, located in front of 10 Dundas Street East at Victoria Street, West Side, 6 meters south of Dundas Street West, 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**)

Site inspection conducted on May 2, 2012 reveals that the sidewalk fronting Victoria Street at 10 Dundas Street East is 5.79 metres. The former City of Toronto, Municipal Code Chapter 315 requires, a total of at least three and sixty-six hundredths (3.66) metres of paved and passable space, measured between the designated area and the curb and between the designated area and any adjacent obstruction to pedestrian passage or change in grade on private property, remains clear of all obstructions and available for uninhibited pedestrian passage. The pedestrian passage would be reduced to 1.13 metres.

The proposed vending location does not comply with the physical criteria outlined in the former City of Toronto Municipal Code Chapter 315, Street Vending, as it does not meet the requirements of the paved passable space provisions for pedestrian traffic. The provisions of the former City of Toronto Municipal Code Chapter 315, requires the vending cart to be located wholly on city property.

Notification of the application in accordance with section 9B of the former City of Toronto Municipal Code Chapter 315 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 10 Dundas Street Ltd outlining their concerns.

A refusal letter dated May 9, 2012 was sent to the applicant advising that the sidewalk boulevard vending application was denied.

A letter dated May 15, 2012 was received by Municipal Licensing & Standards from the applicant to appeal the decision of the denial of a sidewalk boulevard vending permit application.

An objection letter from the Downtown Yonge 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 3.66 metres of uninhibited pedestrian clearance is required in order to provide a clear pathway for pedestrian traffic.

With the addition of new buildings, Yonge Dundas Square and the scramble intersection, pedestrian traffic in the area has increased significantly. The addition of a sidewalk/boulevard vending location would disrupt the pedestrian clearway.

CONTACT

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SIGNATURE

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APPENDICES

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