STAFF REPORT
ACTION REQUIRED

Refusal of a sidewalk boulevard vending permit located at 16 Wellesley Street East, North Side

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<th>Date:</th>
<th>March 12, 2013</th>
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<td>To:</td>
<td>Toronto and East York Community Council</td>
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<tr>
<td>From:</td>
<td>Richard Mucha, Acting Director, Licensing Services, Municipal Licensing &amp; Standards</td>
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<td>Wards:</td>
<td>Ward 27 Toronto Centre Rosedale</td>
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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 16 Wellesley Street East, North Side.

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 16 Wellesley Street East 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 16 Wellesley Street East, (Wellesley Subway Station) North Side was received on November 9, 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)

A Site inspection conducted on February 12, 2013 reveals that the City sidewalk fronting 16 Wellesley Street East is 4.57 metres in length. 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 and remains clear of all obstructions and available for uninhibited pedestrian passage. The pedestrian passage would be reduced to 0.91 metres and place the vending cart entirely on private property. 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 Toronto Transit Commission outlining their concerns. (Appendix 3)

A refusal letter dated December 13, 2012 was sent to the applicant advising that the sidewalk boulevard vending application was denied.

A letter dated December 18, 2012 was received by Municipal Licensing & Standards from the applicant to appeal the decision of the denial of a sidewalk boulevard vending permit 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.
CONTACT

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SIGNATURE

________________________________________
Richard Mucha,
Acting Director
Licensing Services
Municipal Licensing and Standards

APPENDICES

1. Sketch of proposed vending location
2. Photos of proposed vending location
3. Letter of objection