Refusal of a sidewalk boulevard vending permit located at 87 Gerrard Street East, Church Street East Side 12.3 metres North of Gould Street

Date: May 28, 2013
To: Toronto and East York Community Council
From: Richard Mucha, Acting Director, Licensing Services, Municipal Licensing & Standards
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 87 Gerrard Street East, Church Street East Side 12.3 metres North of Gould 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 87 Gerrard Street East, Church Street East Side 12.3 metres North of Gould Street 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 87 Gerrard Street East, Church Street East Side 12.3 metres North of Gould Street was received on January 22, 2013. 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 4, 2013 revealed that the City sidewalk fronting Gerrard Street East has a total of 3.05 City sidewalk. 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 2.05 metres. In order to maintain the (3.66) metres of paved and passable space the vending cart would be placed 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.

A refusal letter dated February 26, 2013 was sent to the applicant advising that the sidewalk boulevard vending application was denied.

A letter dated March 15, 2013 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

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

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Richard Mucha,
Acting Director
Licensing Services
Municipal Licensing and Standards

APPENDICES

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