

**Operation of Boulevard Café -  
Shopsy's Deli and Restaurant - Heath Street East Flank -  
1535 Yonge Street (Midtown)**

*(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)*

**The Toronto Community Council recommends that:**

- (1) the following report (November 10, 1999) from the Manager, Right of Way Management, Transportation Services, District 1 be adopted; and**
- (2) the applicant contribute \$1,000.00 to the Urban Forestry Program in the Midtown Ward.**

**The Toronto Community Council submits the following report (November 10, 1999) from the Right of Way Management, Transportation Services, District 1:**

Purpose:

To report on the operation of the boulevard cafe under the extended hours of operation on the Heath Street East flank of 1535 Yonge Street during the 1999 cafe season.

Financial Implications and Impact Statement:

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

Recommendation:

It is recommended that City Council approve the continuation of the licence for the boulevard cafe on the Heath Street East flank of 1535 Yonge Street, with the same terms and conditions as previously approved, i.e. extended hours of operation, 12 midnight, 7 days a week, since there were no complaints received from the neighbourhood.

Background:

City Council, at its meeting of May 11 and 12, 1999, approved an extension of the boulevard cafe hours on the Heath Street East flank of 1535 Yonge Street to 12 midnight, 7 days a week, and requested the Commissioner of Works and Emergency Services to report back after the end of the 1999 cafe season on the operation of the cafe under the extended hours.

Comments:

A licence was issued for the boulevard cafe on the Heath Street East flank of 1535 Yonge Street on June 26, 1998 to Mr. Joe Bonavota, VP Operations, Shopsy's Holding Corp., o/a Shopsy's Deli and Restaurant, with a 10:00 p.m. closing time restriction. In a letter dated March 11, 1999, Mr. Bonavota requested an extension of the hours of operation to 12 midnight, 7 days a week.

Subsequently, City Council, at its meeting of May 11 and 12, 1999, approved the request of the cafe operator and extended the hours of operation for the boulevard cafe on the Heath Street East flank of 1535 Yonge Street to 12 midnight, 7 days a week, and requested the Commissioner of Works and Emergency Services to report back after the end of the 1999 cafe season on the operation of the cafe under the extended hours.

A new boulevard cafe licence reflecting the extended hours of operation to 12 midnight, 7 days a week was issued to Mr. Joe Bonavota on August 3, 1999.

Periodic inspections during the 1999 cafe season confirmed that the proprietor complied with the restrictions of the boulevard cafe agreement and the other requirements of § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, including the closing time restriction of 12 midnight.

In addition, we have not received any complaints from members of the public or Toronto Police Service pertaining to noise or other disturbances at the subject location.

Conclusions:

Given that the cafe operated during the 1999 cafe season without any incident, we recommend the continuation of the licence.

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