

**Operation of Boulevard Café -
Societa - Roxton Road
Flank of 796 College Street (Trinity-Niagara)**

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

The Toronto Community Council recommends the adoption of the following report (November 15, 1999) from the Manager, 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 Roxton Road flank of 796 College Street during the 1998 and 1999 cafe seasons.

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 Roxton Road flank of 796 College Street, with the same terms and conditions as previously approved, i.e., extended hours of operation, 11:00 p.m. on Sundays through Thursdays and midnight on Fridays and Saturdays, since there were no complaints received from the neighbourhood.

Background:

City Council, at its meeting of July 8, 9 and 10, 1998, in considering a motion from Councillor Pantalone, approved an extension of the hours of operation of the boulevard cafe on the Roxton Road flank of 796 College Street to 11:00 p.m. on Sundays through Thursdays and midnight on Fridays and Saturdays and to renew the boulevard cafe licence for an additional year. In addition, the Commissioner of Works and Emergency Services was requested to review the effect on the community of this extension of hours in one year's time.

Comments:

City Council of the former City of Toronto, at its meeting of March 24 and 25, 1997, approved the application for a boulevard cafe on the Roxton Road flank of 796 College Street, subject to the applicant complying with the criteria set out in § 313-36 of the Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, and that the following restrictions be applied:

- (a) serving time limits of 10:00 p.m. during Sundays and weekdays and 11:00 p.m. on Fridays and Saturdays;

- (b) no music or amplified sound on patio at any time;
- (c) owner to prevent any noisy parties or patrons from staying outside on the patio; and
- (d) the permit be reviewed with deputations at the former City Services Committee in March 1998.

A licence for the cafe on the Roxton Road flank of 796 College Street was issued on July 9, 1997.

During the 1997 cafe season, the operation of the boulevard cafe was monitored periodically. It was determined that the proprietor complied with the restrictions and other requirements of § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, and no incidents or complaints were reported by members of the public or the Toronto Police Service.

At its meeting of April 16, 1998, City Council directed that the licence for the boulevard cafe on the Roxton Road flank of 796 College Street be renewed annually by staff under the aforementioned terms and conditions. A revised boulevard cafe licence was issued to the cafe operator on May 26, 1998, to reflect the foregoing.

Furthermore, City Council, at its meeting of July 8, 9 and 10, 1998, adopted a motion by Councillor Pantalone, and in so doing granted permission to extend the hours of operation for the boulevard cafe on the Roxton Road flank of 796 College Street to 11:00 p.m. on Sundays through Thursdays and midnight on Fridays and Saturdays and to renew their licence for an additional year, and instructed the Commissioner of Works and Emergency Services to review the effect on the community of this extension of hours in one year's time.

A revised boulevard cafe licence to reflect the extended hours of operation for the boulevard cafe on the Roxton Road flank of 796 College Street was issued on August 11, 1998.

Periodic inspections during the 1998 and 1999 cafe seasons 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 restrictions.

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 1998 and 1999 cafe seasons without any incident, we recommend the continuation of the licence.

Contact:

Ken McGuire, Supervisor, Construction Activities

Telephone: 392-7894, Fax: 392-0816, E-mail: kmcguire@city.toronto.on.ca

Curtis Sealock, District Manager, South District, Municipal Licensing and Standards

Telephone: 392-7616, Fax: 392-0677, E-mail: csealock@city.toronto.on.ca