



STAFF REPORT ACTION REQUIRED

A request for an extension of the boulevard café operating hours from 11:00 pm to 2:00 am at 1256 St Clair Avenue West, Boon Avenue flankage

Date:	June 16, 2008
To:	Etobicoke York Community Council
From:	Richard Mucha, Manager, Municipal Licensing & Standards, Licensing Services
Wards:	Ward 17 Davenport
Reference Number:	

SUMMARY

This staff report is about a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

To report on a request received on May 28, 2008 from Leonel Delgado for an extension of the boulevard café operating hours from 11:00 pm to 2:00 am at Rio 40 Degrees Restaurant & Bar located at 1256 St Clair Avenue West, Boon Avenue flankage.

RECOMMENDATIONS

1. That the Etobicoke York Community Council deny the request for the extension of the operating hours; **OR**
2. That the Etobicoke York Community Council approve the request for the extension of the operating hours.

Financial Impact

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

DECISION HISTORY

An application for a boulevard café was received from Leonel Delgado representing 1672251 Ontario Ltd. operating as Rio 40 Degrees Restaurant & Bar. The application submitted was seeking permission to establish a boulevard café on the Boon Avenue flankage of 1256 St Clair Avenue West for 92.7 square metres, which would accommodate approximately 83 patrons.

The permit to operate the boulevard café was issued on February 14, 2006 in accordance with the former City of Toronto Municipal Code, Chapter 313.

The operating hours of a boulevard café are outlined in the former City of Toronto, Municipal Code, Chapter 313, Section F (2) (a) which states that; a boulevard café on a residential flankage is to be closed and cleared by 11:00 p.m.

ISSUE BACKGROUND

On May 28, 2008 Municipal Licensing & Standards received a request from the business owner Leonel Delgado to extend the operating hours of the boulevard café located on the Boon Avenue flankage of 1256 St Clair Ave W, operating as Rio 40 Degrees Restaurant & Bar from 11:00 pm to 2:00 am daily. (**Appendix No. 1**)

Municipal Licensing & Standards has no administrative process to assess the community impact of the request for the extension of hours.

COMMENTS

In accordance with the provisions of the former City of Toronto, Municipal Code, Chapter 313, the closing time restriction of 11:00 is in place in order to ensure that the area residents are not disturbed or unreasonably impacted in the evening hours by elevated ambient noise generated by the café patrons.

CONTACT

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SIGNATURE

Richard Mucha, Manager
Municipal Licensing & Standards
Licensing Services

Appendix

Appendix No. 1 Letter of request for an extension to the operating hours
Appendix No 2 Sketch of boulevard café
Appendix No. 3 Photos of the Boon Ave flankage boulevard cafe