



## STAFF REPORT ACTION REQUIRED

### Refusal of a boulevard café permit located at 588 College Street

<b>Date:</b>	June 16, 2008
<b>To:</b>	Toronto East York Community Council
<b>From:</b>	Richard Mucha, Manager, Municipal Licensing & Standards, Licensing Services
<b>Wards:</b>	Ward 19 – Trinity - Spadina

#### SUMMARY

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

To report on an application received on February 21, 2008 from Rocco Mastrangelo Jr, representing IL Sorriso Resto Bar Inc, operating as Sorriso for an application for a boulevard café located at 588 College Street.

#### RECOMMENDATIONS

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##### **Municipal Licensing and Standards recommends:**

1. That the Toronto East York Community Council deny the application for the boulevard cafe; **OR**
2. That the Toronto East York Community Council approve a boulevard café permit at grade level for a total area of 3.7 square metres. (**Appendix No. 1**)

##### **Financial Impact**

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

#### DECISION HISTORY

An application for a boulevard café on the commercial frontage of 588 College Street was received on February 21, 2008, from Rocco Mastrangelo Jr, representing IL Sorriso

Resto Bar Inc, operating as Sorriso. The application submitted was seeking permission to establish a boulevard café for 3.8 square meters.

On May 9, 2008 a refusal letter was sent to the business owner Rocco Mastrangelo Jr, representing IL Sorriso Resto Bar Inc advising him that the boulevard café application was denied due to insufficient space. **(Appendix No. 2)**

As the proposed boulevard café does not meet the criteria set out in Chapter 313 of the former City of Toronto Municipal Code. One of the provisions of the Code is that boulevard cafes shall provide 2.13 meters clearance from the curb and/or any street furnishings (i.e. tree planters, poles, and benches...) in order to maintain adequate pedestrian space.

The existing sidewalk fronting 588 College Street is 3.66 in width. There are existing trees planted in ground at this location which further reduce the available sidewalk space to sustain pedestrian traffic. The addition of a café operation at this location will create a meandering pattern for pedestrian traffic in this area and make passage difficult for those with assisted mobility needs.

A review of the proposed location has determined taking into consideration the clearance requirement described above, that there is insufficient space to operate a boulevard café due to street furnishing on the boulevard.

## **ISSUE BACKGROUND**

A letter dated June 11, 2008 was received by Municipal Licensing & Standards from Councillor Pantalone on behalf of the business owner Rocco Mastrangelo Jr to appeal the decision of the denial for a boulevard cafe. **(Appendix No.3)**

## **COMMENTS**

In accordance with the provisions of the former City of Toronto, Municipal Code, Chapter 313, the 2.13 metre clearance is required in order to provide a clear pathway for pedestrian's traffic.

Should the Toronto East York Community Council decide to approve a boulevard café at this location, the boulevard café should be maintained at grade level and in the configuration shown on attachment Number 1.

## **CONTACT**

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## **SIGNATURE**

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Richard Mucha, Manager  
Licensing Services  
Municipal Licensing and Standards

### **Appendices:**

Appendix No 1. Sketch of boulevard café  
Appendix No. 2 Refusal letter to business owner  
Appendix No. 3 Letter of Appeal regarding the denial  
Appendix No. 4 Photos of proposed café area