



## STAFF REPORT ACTION REQUIRED

### Polling results for a boulevard café permit located at 520 Wellington Street West, Portland Street flankage

<b>Date:</b>	August 18, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Richard Mucha, Manager, Municipal Licensing & Standards, Licensing Services
<b>Wards:</b>	Ward 20 – Trinity Spadina

#### SUMMARY

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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 results of a public poll regarding an application for a boulevard café permit on the Portland Street flankage of 520 Wellington Street West as requested by Councillor Vaughan.

#### RECOMMENDATIONS

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

1. That the Toronto and East York Community Council deny the application for the proposed application.

##### **Financial Impact**

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

#### DECISION HISTORY

An application for a boulevard café located on the Portland Street flankage of 520 Wellington Street West was received on February 26, 2008 from Richard Perrott representing World Fine Pubs Realty Inc, operating as Bar Wellington. The application submitted was seeking permission to establish a boulevard café on the Portland Street flankage for 79.85 square meters which would accommodate approximately 74 patrons.(See **Appendix No. 3**)

As the proposed boulevard café flanks a residential district, a public poll was conducted in accordance with the polling provisions of the City of Toronto Municipal Code Chapter 190 from which a negative response was received.

## **ISSUE BACKGROUND**

As the proposed café flanks a residential district, the former City of Toronto Municipal Code Chapter 313 requires a public poll of owners and tenants within 120 metres of the proposed café.

A poll dated May 20, 2008 with the last date for filing a response being June 18, 2008 was conducted by the City Clerks Office, Elections and Registry Services for the Portland Street flankage, in English, between the premises 50 – 71 Portland Street and 520 Wellington St West to determine neighbourhood support.

The results of the poll received from Elections and Registry Services indicate that the response to the poll did not show neighbourhood support since the majority of ballots received were not in favour of the application. (**Appendix No. 1**)

The applicant was notified of the refusal in writing on July 28, 2008. (**Appendix No. 2**)

On June 20, 2008 Councillor Vaughan requested Municipal Licensing and Standards to report the polling results to Toronto and East York Community Council.

To date, the applicant has not submitted an appeal of the decision to refuse the application to Municipal Licensing and Standards.

## **COMMENTS**

This application meets the physical criteria for a boulevard café, as set out in Chapter 313, Section 313-36 of the former City of Toronto Municipal Code.

Chapter 313, Section 313-36 A(6) of the former City of Toronto Municipal Code requires Municipal Licensing and Standards, to refuse the application where the results of a poll does not show neighbourhood support of the application.

In addition, no further application for boulevard café privileges at this location can be accepted until June 18, 2010, two years from the closing date of the public poll.

## **CONTACT**

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## **SIGNATURE**

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Richard Mucha, Manager  
Licensing Services  
Municipal Licensing and Standards

## **APPENDICES**

1. Letter from City Clerk's, Elections and Registry Services regarding the polling results
2. Refusal letter to client from Municipal Licensing and Standards
3. Sketch of proposed cafe area
4. Photos of proposed cafe area