



## STAFF REPORT ACTION REQUIRED

**To report back to Etobicoke York Community Council on the feasibility of site-specific exemptions for 1163, 1240, 1279, 1299-1301 and 1352 St. Clair Avenue West to accommodate boulevard café and marketing permits**

<b>Date:</b>	March 9, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Richard Mucha, Manager, Municipal Licensing & Standards, Licensing Services
<b>Wards:</b>	Ward 17 -Davenport

### **SUMMARY**

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Etobicoke York Community Council at the meeting held on February 9, 2009 directed Municipal Licensing and Standards to report back on the feasibility of site specific exemptions for 1163, 1229-1301 1240, 1279, 1352, St. Clair Avenue West to accommodate Boulevard Marketing and Café permits.

In addition, to report on the possibility of the relocation of the tree and tree pit fronting 1299-1301 St. Clair Avenue West to accommodate the maximum marketing area.

### **RECOMMENDATIONS**

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

1. Etobicoke York Community Council refuse the site specific exemptions and direct Municipal Licensing and Standards to issue permits in compliance with the provisions of former City of Toronto Municipal Code, Chapter 313 as per Appendix 1; OR
2. Etobicoke York Community Council grant the site specific exemptions as per Appendix No. 2

## **Financial Impact**

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

## **DECISION HISTORY**

Etobicoke York Community Council at the meeting held on February 9, 2009 considered Report No. EY24.4 and requested that Municipal Licensing and Standards to report back to the Etobicoke York Community Council meeting of March 26, 2009 regarding the feasibility of site specific exemptions to clearance requirements for 1163, 1229-1301 1240, 1279, 1352 St. Clair Avenue West to permit café and marketing areas at these locations.

In addition, Etobicoke York Community Council requested that Municipal Licensing and Standards determine the possibility of relocating the tree and tree pit in front of 1299/1301 St. Clair Avenue West to permit a marketing area at this location.

## **COMMENTS**

Site specific exemptions for the issuance of permits that do not comply with the provisions of former City of Toronto, Municipal Code Chapter 313 may be granted by Community Council.

It should be noted that in doing so, pedestrian traffic may be impeded as these exemptions reduce the 2.13 metre clearance requirement for passable space to accommodate pedestrian traffic on the sidewalk.

In addition, site specific exemptions set a precedent within the commercial community for further requests for exemptions to facilitate the use of the sidewalk for reasons other than pedestrian traffic.

## **CONTACT**

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## **SIGNATURE**

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Richard Mucha, Manager  
Licensing Services  
Municipal Licensing and Standards

## **APPENDICES**

1. Chart of café and marketing permits not in compliance with Chapter 313
2. Chart of café and marketing permits with site specific exemptions