



## STAFF REPORT ACTION REQUIRED

### Appeal of the denial of a boulevard café permit application located at 298 Brunswick Avenue

<b>Date:</b>	June 1, 2009
<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

---

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 an appeal received on March 18, 2009 from Sumit Kapur for the denial of the issuance for a boulevard cafe permit based an objection received from the Ward Councillor. (See **Appendix No.1**)

#### RECOMMENDATIONS

---

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

1. That the Toronto and East York Community Council deny the application for the proposed boulevard café at 298 Brunswick Avenue.

##### **Financial Impact**

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

#### DECISION HISTORY

An application for a boulevard café located at 298 Brunswick Avenue was received from Sumit Kapur representing 2139155 Ontario Inc. operating as Labyrinth Lounge. The application submitted was seeking permission to establish a boulevard café in front of 298 Brunswick Avenue for 51.60 square metres, which would accommodate approximately 48 patrons. (See **Appendix No. 4**)

The application was refused based on an objection letter received from the ward Councillor. (See **Appendix 5**)

## **ISSUE BACKGROUND**

A refusal letter dated October 24, 2008 was forwarded to Sumit Kapur from Municipal Licensing and Standards, advising of the refusal of his application for a boulevard café permit. (See **Appendix No.2**)

On March 18, 2009 a letter of appeal was received from Sumit Kapur.(See **Appendix No.3**)

## **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 313-36 of the former City of Toronto Municipal Code compels Municipal Licensing and Standards to refuse an application for a boulevard café permit when one or more letters of objection have been received.

## **CONTACT**

Kimberley Kilburn  
Supervisor, Licensing Services  
Municipal Licensing & Standards  
Telephone: (416) 392-3128 Fax: (416) 338-7225  
E-mail: [kkilbur@toronto.ca](mailto:kkilbur@toronto.ca)

## **SIGNATURE**

---

Richard Mucha, Manager  
Licensing Services  
Municipal Licensing and Standards

## **APPENDICES**

1. Objection letter from Councillor Vaughan
2. Refusal letter to client from Municipal Licensing and Standards
3. Appeal letter from client
4. Copy of Sketch for the boulevard café located 298 Brunswick Avenue
5. Photos of proposed cafe