

Monday, November 9, 2009

To: Chair and Members of the Toronto East York Community Council

Re: 72 Ossington Avenue – Application for Liquor License Clearance for a Rear Yard Patio

**Recommendation: That City Council advise the Alcohol and Gaming Commission of Ontario (AGCO) that the application for additional capacity at 72 Ossington Avenue is for a proposed rear yard patio which is prohibited under Interim Control By-Law, being City of Toronto By-law 547-2009, and that a Toronto Planning Report before City Council on November 30, 2009 recommends zoning by-law amendments including a prohibition on rear yard patios.**

Discussion: On May 25, 2009, an Interim Control By-Law, being City of Toronto By-law 547-2009, was adopted applicable to Ossington Avenue between Dundas Street West and Queen Street West prohibiting restaurants and related uses, including patios, for a period of one year, to allow City Planning staff the opportunity to undertake a planning study for the area.

Staff reported to this Toronto East York Community Council meeting with the results of that planning study. The Planning Staff Report, being Item TE29.3, recommends zoning by-law amendments for the area including a prohibition on rear yard patios.

City Clerk's Office advised that the owners of 72 Ossington Avenue have filed an application to the AGCO for consideration with an expanded outdoor patio area with a capacity of 40 (the existing premise currently has a capacity of 34). There are no municipal clearances for a rear patio at this location. The Ossington Avenue Restaurant Study will be before City Council on November 30, 2009. Furthermore, City Council Decision (LS23.3) on Wednesday September 30, 2009 requested the AGCO amend their procedures to request proof of municipal clearances including Zoning, Fire, Building, Health, Police, and Business Licensing. I recommend that that City Council advise the Alcohol and Gaming Commission of Ontario (AGCO) that the application for additional capacity at 72 Ossington Avenue is for a proposed rear yard patio that is prohibited under Interim Control By-Law, being City of Toronto By-law 547-2009, and that a Toronto Planning Report recommends zoning by-law amendments for the area including a prohibition on rear yard patios.

Sincerely,

Joe Pantalone  
Deputy Mayor  
City of Toronto

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