



STAFF REPORT ACTION REQUIRED

Appeal of the denial of a boulevard café permit located at 593 College Street

Date:	January 21, 2010
To:	Toronto and East York Community Council
From:	Richard Mucha, Manager, Licensing Services, Municipal Licensing & Standards
Wards:	Ward 19 – 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 the denial of an application received on May 7, 2009 from the business owner, representing Trattoria Giancarlo Inc, operating as Trattoria Giancarlo for a boulevard café located at 593 College Street.

RECOMMENDATIONS

Municipal Licensing and Standards recommends:

1. That the Toronto and East York Community Council deny the proposed application for the boulevard cafe at 593 College Street. **OR**
2. That the Toronto and East York Community Council approve the proposed boulevard café permit at 593 College Street.

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 593 College Street was received on May 7, 2009 from the business owner, representing Trattoria Giancarlo Inc, operating as Trattoria Giancarlo. The application submitted was seeking permission to establish a boulevard café for 9.30 square meters. **(Appendix No. 1)**

An inspection of the premises determined the existing sidewalk fronting 593 College Street is 3.49 in width. There is a light standard installed at this location which further reduces the available sidewalk space to sustain pedestrian traffic. The clearance requirement for pedestrian traffic is 2.13 meters. The installation of a boulevard café at this location would further reduce the pedestrian clearance resulting in only 0.88 meter clearance. Furthermore, the addition of a café operation at this location would create a meandering pattern for pedestrian traffic in this area and make passage difficult for those with assisted mobility needs.

As the proposed boulevard café does not meet the criteria set out in Chapter 313 of the former City of Toronto Municipal Code, on October 22, 2009 a refusal letter was sent to the business owner representing Trattoria Giancarlo Ltd, operating as Trattoria Giancarlo advising him that the boulevard café application was denied due to insufficient space. **(Appendix No. 2)**

ISSUE BACKGROUND

A letter dated November 25, 2009 was received by Municipal Licensing & Standards from the client's agent acting on behalf of the business owner 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.

CONTACT

Richard Mucha
Manager, Licensing Services
Municipal Licensing & Standards
Telephone: (416) 392-3084 Fax: (416) 338-7225
E-mail: rmucha@toronto.ca

SIGNATURE

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