



STAFF REPORT ACTION REQUIRED

Appeal of the denial of a boulevard café permit located at 38 The Esplanade

Date:	May 31, 2010
To:	Toronto and East York Community Council
From:	Richard Mucha, Manager, Licensing Services, Municipal Licensing & Standards
Wards:	Ward 28 Toronto Centre - Rosedale

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 refusal to issue a permit by the Municipal Licensing and Standards based on an objection received to the 14 day public posting on the application for a boulevard café permit located at 38 The Esplanade.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Toronto and East York Community Council:

1. Deny the application for the proposed boulevard café located in front of 38 The Esplanade.

Financial Impact

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

DECISION HISTORY

An application for a boulevard café located in the front of 38 The Esplanade was received on April 9, 2010, from the business owner representing The Keg Restaurants Ltd, operating as The Keg. The application submitted was seeking permission to establish a boulevard café for 151.62 square meters which would accommodate approximately 143 patrons. **(Appendix No. 1)**

As the proposed café is located on a commercial frontage, a 14 day public notice was posted to inform the neighbourhood that an application has been submitted to seek permission to establish a boulevard café.

The public notice was posted commencing on May 12, 2010 to closing May 25, 2010 to determine neighbourhood support.

ISSUE BACKGROUND

An objection letter to the public posting was received by Municipal Licensing and Standards on May 25, 2010. **(Appendix No.2)**

A refusal letter dated May 26, 2010 was mailed to the applicant notifying of the refusal. **(Appendix No.3)**

A letter dated June 1, 2010 was received by Municipal Licensing and Standards from the business owner representing The Keg Restaurants Ltd to appeal the decision of the denial for boulevard cafe. **(Appendix No.4)**

COMMENTS

Boulevard cafes are governed by the criteria set out in Chapter 313 of the former City of Toronto Municipal Code. As stated in the Municipal Code, “where the Commissioner receives one or more letters of objection in response to the boulevard café application,” the Commissioner shall refuse the application.

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SIGNATURE

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APPENDICES

1. Sketch of boulevard café
2. Letter of Objection
3. Refusal letter to business owner
4. Letter of Appeal
5. Photos of proposed cafe