



## STAFF REPORT ACTION REQUIRED

### Appeal of the denial of a boulevard café permit located on the commercial frontage of 511 Danforth Avenue

<b>Date:</b>	May 31, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Richard Mucha, Manager, Licensing Services, Municipal Licensing & Standards
<b>Wards:</b>	Ward 30 Toronto - Danforth

#### **SUMMARY**

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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 objections received to the 14 day public posting on the application for a boulevard café permit on the commercial frontage of 511 Danforth Avenue.

#### **RECOMMENDATIONS**

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

1. Deny the application for the proposed boulevard café on the commercial frontage of 511 Danforth Avenue.

#### **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 511 Danforth Avenue was received on February 23, 2009, from the business owner representing 2171611 Ontario Inc operating as The Local Company. The application submitted was seeking permission to establish a boulevard café for 8.53 square meters which would accommodate approximately 6 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 March 27, 2009 to closing April 9, 2009 to determine neighbourhood support.

## **ISSUE BACKGROUND**

Objection letters to the public posting were received by Municipal Licensing and Standards. (**Appendix No.5**)

A refusal letter dated September 10, 2009 was mailed notifying the applicant of the refusal. (**Appendix No.2**)

A letter dated May 10 2010 was received by Municipal Licensing and Standards from the business owner representing 2171611 Ontario Inc to appeal the decision of the denial for boulevard cafe. (**Appendix No.3**)

## **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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Municipal Licensing and Standards

## **APPENDICES**

1. Sketch of boulevard café
2. Refusal letter to business owner
3. Letter of Appeal regarding the denial
4. Photos of proposed café area
5. Letters of Objection