



## STAFF REPORT ACTION REQUIRED

### Appeal of the denial of a boulevard café extension application located at 720 College Street, Crawford Street flankage

<b>Date:</b>	July 22, 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 19 – Trinity - Spadina

#### **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 appeal received June 2, 2010 from the business owner representing IL Gatto Nero Inc, operating as IL Gatto Nero for the refusal to issue a permit by Municipal Licensing and Standards, based on the physical criteria inspection conducted in the matter, of an extension application for a boulevard café permit located at 720 College Street, Crawford Street flankage.

#### **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 extension at 720 College Street, Crawford Street flankage;

#### **Financial Impact**

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

## **DECISION HISTORY**

An application for a boulevard café extension located at 720 College Street, on the Crawford Street flankage was received on April 26, 2010 from the business owner, representing IL Gatto Nero Inc, operating as IL Gatto Nero. The application submitted was seeking permission to establish an extension of the boulevard café on the Crawford Street flankage for an additional 27.26 square meters which would accommodate approximately patrons. **(Appendix No. 1)**

As the proposed boulevard café flanks a residential district, the former City of Toronto Municipal Code Chapter 313, Section 313-36 states that no part of the boulevard café shall be less than 25 meters from a residential zone.

Site inspection conducted on May 18, 2010 revealed that the boulevard café area has been extended 7.1 meters beyond the cafe licensed area of 12.0 meters linearly. The proposed café extension application is within 10.0 meters of the required 25 meters from a residential zone.

## **ISSUE BACKGROUND**

On May 21, 2010, a refusal letter was sent to the business owner representing IL Gatto Nero Inc, operating as IL Gatto Nero advising the applicant that the boulevard café extension application was denied due to the required 25 meters from a residential zone. **(Appendix No. 2)**

A letter dated June 1, 2010 was received by Municipal Licensing & Standards from the business owner representing IL Gatto Nero Inc, operating as IL Gatto Nero to appeal the decision of the denial for a boulevard cafe. **(Appendix No.3)**

## **COMMENTS**

As the proposed café flanks a residential district, the former City of Toronto Municipal Code Chapter 313-36 F, requires that no part of the boulevard café is less than 25 meters from a residential zone and the application be refused.

## **CONTACT**

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## **SIGNATURE**

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## **APPENDICES**

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