



STAFF REPORT ACTION REQUIRED

Revocation of a sidewalk boulevard cafe permit located at 1422 Dundas Street West

Date:	May 24, 2012
To:	Toronto and East York Community Council
From:	Marcia Stoltz, Acting Manager, Municipal Licensing & Standards, Licensing Services
Wards:	Ward 18 Davenport

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 impact of the sidewalk reconstruction on the existing sidewalk/boulevard café permit located at 1422 Dundas Street West.

RECOMMENDATIONS

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

1. Revoke the existing sidewalk/boulevard café permit located at 1422 Dundas Street West due to insufficient sidewalk space.

Financial Impact

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

DECISION HISTORY

Sidewalk/Boulevard café permit number R57-2296296 was issued to 1725809 Ontario Ltd, operating as Sunset Grill on August 8, 2005 with an expiry date of March 31, 2013.

As a result of the sidewalk reconstruction on Dundas Street West, the pedestrian clearance requirement of 2.13 metres has been eliminated from the sidewalk/boulevard café permit fronting 1422 Dundas Street West. The pedestrian clearance has been reduced to 0.69 metres. The cafe permit must be revoked in order to allow sufficient sidewalk clearance for pedestrian traffic.

The relocation and or installation of features, such as utility poles and tree pits, within the right of way have caused the reduction or elimination of the 2.13 metre pedestrian clearway, required to comply with the former City of Toronto Municipal Code Chapter 313 and the Vibrant Streets Document where permits for cafes and marketing have been issued.

In order to maintain the required 2.13 metre pedestrian clearway outlined in the former City of Toronto Municipal Code Chapter 313-36 and the Vibrant Streets Document, right of way permits for the occupation of the sidewalk and or boulevard are reviewed when streetscape reconstruction, utility installations or a change of business ownership occurs to ensure that the permits continue to conform to the current regulations.

All entrance paths/sidewalks in a public right of way and/or walkways for pedestrians and persons using mobility aids must be of firm, level, and non-slip materials and are recommended to be a minimum of 1675mm (1.675 metres) wide to allow two wheelchairs or scooters to pass one another. In no case should sidewalks be less than 1525 mm (1.52 metres) wide where two-way traffic is expected.

COMMENTS

In accordance with the provisions of the former City of Toronto, Municipal Code, Chapter 313-36, the 2.13 metre clearance is required in order to provide a clear pathway for pedestrian traffic.

Council has approved the Vibrant Streets Document in order to create streetscapes where pedestrian traffic moves freely and unencumbered and to ensure that the placement of street furnishings, cafes and marketing areas and other features is better aligned to support pedestrian traffic.

CONTACT

Pat Thornback
Acting Supervisor,
Municipal Licensing and Standards
Licensing Services
Telephone: (416) 392-3128 Fax: (416) 338-7225
E-mail: pthornba@toronto.ca

SIGNATURE

Marcia Stoltz,
Acting Manager
Municipal Licensing and Standards
Licensing Services

APPENDICES

- 1.** Sketch of existing café permit
- 2.** Photos of location