Refusal of a boulevard café permit application located at 1 Baldwin Street

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<th>Date:</th>
<th>August 14, 2012</th>
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<td>To:</td>
<td>Toronto and East York Community Council</td>
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<tr>
<td>From:</td>
<td>Marcia Stoltz, Acting Manager, Municipal Licensing &amp; Standards, Licensing Services</td>
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<td>Wards:</td>
<td>Ward 20 – Trinity Spadina</td>
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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 Municipal Licensing & Standards in the matter of an application for a boulevard café permit located at 1 Baldwin Street.

RECOMMENDATIONS

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

1. Deny the application for the proposed sidewalk boulevard café permit at 1 Baldwin Street.

Financial Impact
There are no financial implications resulting from the adoption of this report.
**ISSUE BACKGROUND**

An application for a sidewalk boulevard café permit located at 1Baldwin Street, was received on April 10, 2012 from the business owner representing 2299142 Ontario Inc., operating as Wild Wing.

The application submitted was seeking permission to establish a boulevard café located at 1Baldwin Street for 22.03 square meters which would accommodate approximately 18 patrons. *(Appendix No. 1)*

The former City of Toronto Municipal Code, Chapter 313-36 (5) states; Where the application is for a boulevard cafe to be located on a commercial frontage, the Commissioner shall prepare a notice advising of the application and shall post the notice on the property in a manner so that the notice is visible to passersby, for a period of not less than fourteen (14) days before a date specified by the Commissioner.

A public notice was posted commencing on May 18, 2012 to closing May 31, 2012 to determine neighbourhood support.

Letters of objection to the public posting were received by Municipal Licensing & Standards.

Per Chapter 313 – 36 B6 which states, "where the Commissioner receives one or more letters of objection in response to the boulevard café application, the Commissioner shall refuse the application".

A refusal letter was sent on June 6, 2012 to the business owner representing 2299142 Ontario Inc advising the applicant that objection letters to the 14 day public posting were received and that the sidewalk/boulevard café permit application was denied.

On June 11, 2012 a letter was received by Municipal Licensing & Standards from the business owner representing 2299142 Ontario Inc, to appeal the decision of the denial for a boulevard café permit.

**COMMENTS**

Boulevard cafes are governed by the criteria set out in Chapter 313-36 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.
CONTACT

Pat Thornback
Acting Supervisor, Licensing Services
Municipal Licensing & Standards
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 boulevard café
2. Photos of proposed café area