



## STAFF REPORT ACTION REQUIRED

### Appeal of the denial of a boulevard café permit located at 866 Bloor Street West, Carling Avenue flankage

<b>Date:</b>	August 14, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Wayne Mattless, Director, Business Licensing and Regulatory Services
<b>Wards:</b>	Ward 19 – Trinity - Spadina

#### **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 results of the public poll conducted in the matter of an application for a boulevard café permit at 866 Bloor Street West, Carling Avenue flankage.

#### **RECOMMENDATIONS**

---

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

1. Deny the application for the proposed boulevard café at 866 Bloor Street West, Carling Avenue flankage.

#### **Financial Impact**

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

## **DECISION HISTORY**

An application for a boulevard café located at 866 Bloor Street West, Carling Avenue flankage was received on April 16, 2015 from the business owner representing 2128409 Ontario Inc., operating as Dooney's Cafe. The application submitted was seeking permission to establish a boulevard café on the Clinton Street flankage for 50 square metres which would accommodate approximately 40 patrons.

As the proposed boulevard café flanks a residential area, the former City of Toronto Municipal Code Chapter 313 requires a public poll of owners and tenants within 120 metres of the proposed boulevard café.

A poll dated June 1, 2015 with the last date for filing a response being June 30, 2015 was conducted by the City Clerk's Office, Elections and Registry Services for the premises at 866 Bloor Street West to determine neighbourhood support.

The results of the poll received from Election and Registry Services did not meet the minimum response rate. The provisions of Municipal Code Chapter 190 indicate that if the minimum response is not met, the application must be refused.

The applicant was notified of the refusal in writing on July 8, 2015.

On July 15, 2015 Municipal Licensing and Standards received a letter of appeal from business owner representing 2128409 Ontario Inc., operating as Dooney's Cafe.

## **COMMENTS**

This application meets the physical criteria for a boulevard café, as set out in Chapter 313, Section 313-36 of the former City of Toronto Municipal Code.

Chapter 313, Chapter 313-36 A(6) of the former City of Toronto Municipal Code requires Municipal Licensing and Standards, to refuse the application where the results indicate that the poll did not meet the minimum response rate. As a result, no further application for a boulevard café permit at this location can be accepted until June 29, 2017, two years from the closing date of the public poll.

## **CONTACT**

Pat Thornback  
Supervisor, Licensing Services  
Municipal Licensing & Standards  
Telephone: (416) 392-3102 Fax: (416) 392-4515  
E-mail: [pthornba@toronto.ca](mailto:pthornba@toronto.ca)

## **SIGNATURE**

---

Wayne Mattless,  
Director  
Business Licensing and Regulatory Services  
Municipal Licensing and Standards

## **APPENDICES**

1. Sketch of proposed café area
2. Photo of proposed café area