



## STAFF REPORT ACTION REQUIRED

### Appeal of the denial of a boulevard café permit located at 1090 Bloor Street West, Gladstone Avenue flankage

<b>Date:</b>	October 23, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Annalisa Mignardi, Director, Business Licensing and Regulatory Services
<b>Wards:</b>	Ward 18 – Davenport

#### 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 results of the public poll conducted in the matter of an application for a boulevard café permit at 1090 Bloor Street West, Gladstone Avenue flankage.

#### RECOMMENDATIONS

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

1. Deny the application for the proposed boulevard café at 1090 Bloor Street West, Gladstone 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 1090 Bloor Street West, Gladstone Avenue flankage was received on January 23, 2015 from the business owner representing Roma 1090 Ltd., operating as Roma 1090. The application submitted was seeking permission to establish a boulevard café on the Gladstone Avenue flankage for 53.18 square metres which would accommodate approximately 34 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 July 28, 2015 with the last date for filing a response being August 26, 2015 was conducted by the City Clerk's Office, Elections and Registry Services for the premises at 1090 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 September 22, 2015.

On October 2, 2015 Municipal Licensing and Standards received a letter of appeal from Roma 1090 Ltd.

## **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 August 26, 2017, two years from the closing date of the public poll.

## **CONTACT**

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## **SIGNATURE**

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Annalisa Mignardi,  
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Business Licensing and Regulatory Services  
Municipal Licensing and Standards

## **APPENDICES**

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