



STAFF REPORT ACTION REQUIRED

Refusal of a boulevard café permit application located at 2199 Bloor Street West, Kennedy Avenue flankage

Date:	April 22, 2016
To:	Etobicoke York Community Council
From:	Annalisa Mignardi, Director, Business Licensing and Regulatory Services, Municipal Licensing & Standards
Wards:	Ward 13 – Parkdale – High Park

SUMMARY

This staff report is about a matter for which the Etobicoke 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 2199 Bloor Street West, Kennedy Avenue flankage.

RECOMMENDATION

Municipal Licensing and Standards recommends that the Etobicoke York Community Council:

1. Deny the application for the proposed boulevard café permit located at 2199 Bloor Street West, Kennedy 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 2199 Bloor Street West, Kennedy Avenue flankage was received on May 30, 2012 from the business owner representing 1821372 Ontario Ltd., operating as The Kennedy Public House. The application submitted was seeking permission to establish a boulevard café on the Kennedy Avenue flankage for 69.16 square metres which would accommodate approximately 56 patrons.

A letter dated June 21, 2012 was sent to the business owner representing 1821372 Ontario Ltd. to submit revised site plans. The applicant requested an extension to submit the required documents until August 15, 2012. The request was granted by Municipal Licensing & Standards. On August 15, 2012, the applicant did not submit the required site plans, therefore the application was cancelled.

The former City of Toronto Municipal Code Chapter 313-36B (4) also requires a public poll of owners and tenants within 120 metres of the proposed café on a residential flank.

A poll was conducted on September 12, 2012 with the last date for filing a response being October 11, 2012 by the City Clerk's Office, Elections and Registry Services in English, Polish and Ukrainian, and included the premises between 97-121 Kennedy Avenue, 90-132 Kennedy Avenue and 2203 Bloor Street West to determine neighbourhood support.

The results of the first poll received from Election and Registry Services indicate that a majority of the ballots received were in favour.

A letter dated November 9, 2012 was sent to the business owner representing 1821372 Ontario Ltd. advising that their application for a boulevard café was cancelled due to the non-submission of the revised site plans.

An application for a boulevard café located at 2199 Bloor Street West, Kennedy Avenue flankage was received on August 4, 2015 from the business owner representing 1821372 Ontario Ltd., operating as The Kennedy Public House due to the initial boulevard café application being cancelled. The application submitted is seeking permission to establish a boulevard café on the Kennedy Avenue flankage for 69.16 square metres which would accommodate approximately 56 patrons.

The former City of Toronto Municipal Code Chapter 313-36B (4) also requires a public poll of owners and tenants within 120 metres of the proposed café on a residential flank.

A poll was conducted on March 7, 2016 with the last date for filing a response being April 5, 2016 by the City Clerk's Office, Elections and Registry Services in English, and included the premises between 97-121 Kennedy Avenue, 90-132 Kennedy Avenue and 2203 Bloor Street West to determine neighbourhood support.

The results of the poll received from the City Clerk's Office, Election and Registry Services indicate that the ballots received did not meet the minimum response rate and that the majority of ballots received were not in favour.

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.

When there is a negative response, re-polling for the same purpose may not take place until two years have passed from the closing date of the previous poll.

As a result, no further application for boulevard café privileges at this location can be accepted until April 5, 2017.

CONTACT

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SIGNATURE

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APPENDICES

1. Sketch of boulevard café
2. Photos of proposed café area

