



STAFF REPORT ACTION REQUIRED

Appeal of the denial of a boulevard café permit located at 596 College Street, Clinton Street flankage

Date:	May 29, 2015
To:	Toronto and East York Community Council
From:	Wayne Mattless, Director, Business Licensing and Regulatory Services
Wards:	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 596 College Street, Clinton Street flankage.

RECOMMENDATIONS

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

1. Deny the application for the proposed boulevard café at 596 College Street, Clinton Street 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 596 College Street, Clinton Street flankage was received on December 19, 2014 from the business owner representing 2292307 Ontario Inc., operating as Lucky Bastard. The application submitted was seeking permission to establish a boulevard café on the Clinton Street flankage for 49.83 square metres which would accommodate approximately 30 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 April 8, 2015 with the last date for filing a response being May 7, 2015 was conducted by the City Clerk's Office, Elections and Registry Services for the premises at 596 College Street 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 May 12, 2015.

On May 21, 2015 Municipal Licensing and Standards received a letter of appeal from 2292307 Ontario Inc.

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 May 7, 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

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