Appeal of the denial of a boulevard café permit located at 590 Pape Avenue, Wroxeter Avenue flankage

Date: April 22, 2016
To: Toronto and East York Community Council
From: Annalisa Mignardi, Director, Business Licensing and Regulatory Services, Municipal Licensing & Standards
Wards: Ward 30 – Toronto - Danforth

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 and Standards for a boulevard café located at 590 Pape Avenue, Wroxeter Avenue flankage.

RECOMMENDATION

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

1. Deny the application for the proposed boulevard café located at 590 Pape Avenue, Wroxeter Avenue flankage.

Financial Impact

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

An application for a boulevard café on the Wroxeter Avenue flankage of 590 Pape Avenue, was received on December 24, 2015 from the business owner representing Bullseye (3d Marketing Solutions) Corp. operating as The Shmooz.

The application submitted was seeking permission to establish a boulevard café on the Wroxeter Avenue flankage for 37.41 square metres which would accommodate approximately 30 patrons. (Appendix No. 1)

A site inspection conducted on January 28, 2016 revealed that the boulevard café area is located within 14 metres from a residential zone. The required clearance from a residential zone for cafes located on a residential flank is 25 metres.

On February 4, 2016, a refusal letter was sent to the business owner representing Bullseye (3d Marketing Solutions) Corp., advising that the boulevard café permit application was denied due to the required 25 metres from a residential zone.

A letter dated February 8, 2016 was received by Municipal Licensing & Standards from the business owner representing Bullseye (3d Marketing Solutions) Corp. to appeal the decision of the denial for a boulevard café permit on the Wroxeter Avenue flankage.

Poll results

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 boulevard café on a residential flank.

A poll dated February 11, 2016 with the last date for filing a response being March 11, 2016 was conducted by the City Clerk's Office, Elections and Registry Services for 1-49 Wroxeter Avenue, 2-40 Wroxeter Avenue, 605 Carlaw Avenue, 576 and 590 Pape Avenue East to determine neighbourhood support.

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

COMMENTS

As the proposed café flanks a residential zone, the former City of Toronto Municipal Code Chapter 313-36 F, requires that no part of the boulevard café is less than 25 metres from a residential zone and the application be refused, therefore the application must be refused.
CONTACT

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SIGNATURE

____________________________________
Annalisa Mignardi
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APPENDICES

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