

## **Refusal of an application for a boulevard café permit located on the commercial frontage of 859 Queen Street West**

**Date:** September 26, 2016  
**To:** Toronto and East York Community Council  
**From:** Annalisa Mignardi, Director, Business Licensing and Regulatory Services,  
Municipal Licensing & Standards  
**Wards:** Ward 19 - Trinity - Spadina

### **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 refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a boulevard café permit located at 859 Queen Street West.

### **RECOMMENDATIONS**

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The Director of Business Licensing and Regulatory Services, Municipal Licensing & Standards recommends that:

1. The application for the proposed boulevard café permit at 859 Queen Street West be denied.

### **FINANCIAL IMPACT**

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

### **DECISION HISTORY**

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An application for a boulevard café permit located at 859 Queen Street West was received on July 27, 2016 from the business owner representing 2426108 Ontario Ltd. operating as H Bar.

The application submitted was seeking permission to establish a boulevard café located at 859 Queen Street West for 2.77 square metres which would accommodate approximately 4 patrons. (Appendix No. 1)

The former City of Toronto Municipal Code, Chapter 313-36 (5) states; Where the application is for a boulevard cafe to be located on a commercial frontage, the Commissioner shall prepare a notice advising of the application and shall post the notice on the property in a manner so that the notice is visible to passersby, for a period of not less than fourteen (14) days before a date specified by the Commissioner.

A public notice was posted on August 30, 2016 to September 12, 2016 to determine neighbourhood support.

A letter of objection to the public posting was received by Municipal Licensing & Standards on September 12, 2016.

Boulevard cafes are governed by the criteria set out in Chapter 313-36 of the former City of Toronto Municipal Code. As stated in the Municipal Code, "where the Commissioner receives one or more letters of objection in response to the boulevard café application," the Commissioner shall refuse the application.

A refusal letter was sent on September 12, 2016 to the business owner representing 2426108 Ontario Ltd., advising the applicant that an objection letter to the 14 day public posting was received and that the boulevard café permit application was denied.

On September 20, 2016 a letter was received by Municipal Licensing & Standards from the business owner representing 2426108 Ontario Ltd. to appeal the decision of the denial for a boulevard café permit.

## **COMMENTS**

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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.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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