

## **Refusal of a boulevard café permit application located at 2 Broadway Avenue**

**Date:** May 26, 2017  
**To:** North York Community Council  
**From:** Annalisa Mignardi, Director, Business Licensing and Regulatory Services,  
Municipal Licensing & Standards  
**Wards:** Ward 25 – Don Valley West

### **SUMMARY**

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This staff report is about a matter for which the North 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 2 Broadway Avenue.

### **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 located at 2 Broadway Avenue 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 located at 2 Broadway Avenue was first received on April 30, 2014 from the business owner representing Sip Wine Bar Inc., operating as Sip Wine Bar. The application submitted was seeking permission to establish a boulevard

café located at 2 Broadway Avenue for 16.67 square metres which would accommodate approximately 13 patrons.

The North York Community Council (NYCC) at its meeting held on August 12, 2014 denied the application for the proposed boulevard café permit at 2 Broadway Avenue. No new applications were to be made at this address for 2 years from the application date of April 30, 2014.

## **COMMENTS**

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A new application for a boulevard café located at 2 Broadway Avenue was received on March 27, 2017 from the business owner representing Sip Wine Bar Inc., operating as Sip Wine Bar. The application submitted was seeking permission to establish a boulevard café located at 2 Broadway Avenue for 16.64 square metres which would accommodate approximately 13 patrons. (Appendix No. 1)

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

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 April 05, 2017 to April 18, 2017 to determine neighbourhood support.

Letters of objection to the public posting were received by Municipal Licensing & Standards.

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 April 13, 2017 to the business owner representing Sip Wine Bar Inc., 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 April 26, 2017 a letter was received by Municipal Licensing & Standards from the business owner representing Sip Wine Bar Inc. to appeal the decision of the denial for a boulevard café permit

In addition, Municipal Licensing & Standards has received several noise complaints in regards to the eating establishment.

The following are the dates the noise complaints were received: August 28, 2014, November 28, 2015, February 19, 2017 and February 20, 2017.

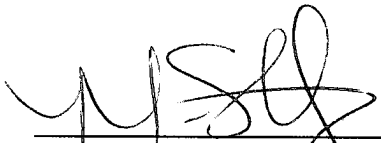
## **CONTACT**

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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