Appeal of the denial of a boulevard café permit located at 511 Bloor Street West, Borden Street flankage

Date: August 19, 2016
To: Toronto and East York Community Council
From: Annalisa Mignardi, Director, Business Licensing and Regulatory Services, Municipal Licensing & Standards
Wards: Ward 20 – 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 a public poll and refusal to issue a permit by Municipal Licensing and Standards, based on the results of public poll conducted for a boulevard café permit at 511 Bloor Street West, Borden Street flankage.

RECOMMENDATIONS

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

1. The application for the proposed boulevard café at 511 Bloor Street West, Borden Street flankage be denied.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard café on the Borden Street flankage of 511 Bloor Street West was received on March 11, 2016 from 1945304 Ontario Inc., operating as The
Crafty Coyote Ale House. The application submitted was seeking permission to establish a boulevard café on the Borden Street flankage for 80.83 square meters which would accommodate approximately 76 patrons. (Appendix No. 1)

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 June 6, 2016 with the last date for filing a response being July 5, 2016 was conducted by the City Clerk's Office, Elections and Registry Services for the Borden Street flankage, in English, between the premises 509-509B Bloor Street; 239-277 Borden Street and 276-300 Borden Street, to determine neighbourhood support.

The results of the poll received from Election and Registry Services indicate that a majority of the ballots received were not in favour and therefore is considered negative.

On July 7, 2016, a refusal letter was sent to 1945304 Ontario Inc., advising that the boulevard café permit application was denied.

On July 18, 2016 Municipal Licensing and Standards received a letter of appeal from the applicant.

COMMENTS

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 of a poll indicates the majority are not in favour of the application.

As a result, no application for boulevard café at this location can be accepted until July 5, 2018, two years from the closing date of the public poll.

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

________________________________________
Annalisa Mignardi
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ATTACHMENTS

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