Refusal of an extension to the boulevard café permit located at 127 Strachan Avenue

Date: May 26, 2017  
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

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 of an extension to the boulevard café permit located at 127 Strachan Avenue.

RECOMMENDATIONS

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

1. The application for an extension to the boulevard café permit located at 127 Strachan Avenue be denied.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard café located at 127 Strachan Avenue was first received on March 17, 2015 from the business owner representing 2448713 Ontario Inc., operating as Bronco’s. The application submitted was seeking permission to establish a
boulevard café on the Adelaide Street West flankage for 109 square metres which would accommodate approximately 95 patrons.

The Toronto and East York Community Council on its meeting held on June 16, 2015 approved the installation of the wood-framed cafe fence within the licensed sidewalk boulevard café area located at 127 Strachan Avenue.

2448713 Ontario Inc., operating as Bronco's, was first issued a boulevard café permit on July 6, 2015.

COMMMENTS

An application to add a boulevard café on the frontage of 127 Strachan Avenue was received on February 9, 2017.

The application submitted was seeking permission to add a boulevard café on the Strachan Avenue frontage for 21.93 square meters which would accommodate approximately 19 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 March 7, 2017 to March 20, 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 March 21, 2017 to the business owner representing 2448713 Ontario Inc., operating as Bronco’s, 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 March 28, 2017 a letter was received by Municipal Licensing & Standards from the business owner representing 2448713 Ontario Inc., operating as Bronco’s, to appeal the decision of the denial for a boulevard café permit.
In addition, Municipal Licensing and Standards has received several noise related complaints in regards to the eating establishment.

The following are the dates the noise complaints were received: July 13, 2015, July 16, 2015, March 15, 2016, June 20, 2016, December 19, 2016, February 17, 2017, and February 22, 2017.

CONTACT

Pat Thornback
Supervisor
Licensing Services
Municipal Licensing & Standards
Telephone: (416) 392-3128 Fax: (416) 392-4515
E-mail: pat.thornback@toronto.ca

SIGNATURE

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

ATTACHMENTS

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