Refusal of an application for a boulevard café permit located on the commercial frontage of 674 Danforth Avenue

Date: May 26, 2016
To: Toronto and East York Community Council
From: Annalisa Mignardi, Director, Business Licensing and Regulatory Services, Municipal Licensing & Standards
Wards: Ward 29 - 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 & Standards in the matter of an application for a boulevard café permit located on the commercial frontage of 674 Danforth Avenue.

RECOMMENDATIONS

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

1. The application for the proposed boulevard café permit located on the commercial frontage of 674 Danforth Avenue be denied.

FINANCIAL IMPACT

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

DECISION HISTORY

This is a new application for a boulevard café permit located on the commercial frontage of 674 Danforth Avenue.
An application for a boulevard café permit located on the commercial frontage of 674 Danforth Avenue was received on April 7, 2017 from the business owner representing 1938386 Ontario Ltd. operating as Hunters on the Danforth.

The application submitted was seeking permission to establish a boulevard café located on the commercial frontage of 674 Danforth Avenue for 6.73 square metres which would accommodate approximately 3 patrons. (Appendix No. 1)

In accordance with the provisions of the former City of Toronto, Municipal Code, Chapter 313, the 2.13 metre clearance is required in order to provide a clear pathway for pedestrian’s traffic.

In order to maintain the required 2.13 metre pedestrian clearway outlined in the former City of Toronto Municipal Code, Chapter 313 and the Vibrant Streets Document, Right of Way permits for the occupation of the sidewalk and or boulevard are reviewed when streetscape reconstruction, utility installations or a change of business ownership occurs to ensure that the permits continue to conform to the current regulations.

The installation of a boulevard café at this location will make passage difficult for those with assisted mobility needs and reduce the pedestrian clearance requirement of 2.13 metres. The concept of a pedestrian clearway is not only to maintain the permitted distances but also to ensure pedestrian traffic moves freely and unencumbered.

A site inspection conducted on April 20, 2017 revealed that the boulevard café area would only provide a pedestrian clearance of 1.01 metres from the edge of the light standard. The required pedestrian clearance as outlined in the former City of Toronto Municipal Code 313-36 is 2.13 metres from the curb or any street installation.

On April 25, 2017 a refusal letter was sent to the business owner representing 1938386 Ontario Ltd. advising the applicant that the proposed area for the boulevard café will provide insufficient sidewalk space.

On May 19, 2017 a letter was received by Municipal Licensing & Standards from the business owner representing 1938386 Ontario Ltd. to appeal the decision of the denial for a boulevard café permit.

Council has approved the Vibrant Streets Document in order to create streetscapes where pedestrian traffic moves freely and unencumbered and to ensure that the placement of street furnishings, cafes and marketing areas and other features is better aligned to support pedestrian traffic.
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