

## **Refusal of a boulevard marketing permit application located at 651 Gerrard Street East**

**Date:** February 1, 2018  
**To:** Toronto and East York Community Council  
**From:** Annalisa Mignardi, Director, Business Licensing and Regulatory Services,  
Municipal Licensing & Standards  
**Wards:** Ward 30 - Toronto - Danforth

### **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.

This is a report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a boulevard marketing permit located at 651 Gerrard Street East.

### **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 marketing permit located at 651 Gerrard Street East 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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This is a new application for a boulevard marketing permit located at 651 Gerrard Street East.

## COMMENTS

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An application for a boulevard marketing permit located at 651 Gerrard Street East was received on November 22, 2017 from the business owner representing 8637415 Canada Corp operating as East Chinatown Gifts.

The application submitted was seeking permission to establish a boulevard marketing display located at 651 Gerrard Street East for 1.58 square metres. (Appendix No. 1 and 2)

A site inspection conducted on December 11, 2017 revealed that the boulevard marketing display would only provide a pedestrian clearance of 1.75 metres from the interlocking pavers. 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.

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.

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.

The display of merchandise 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.

On December 12, 2017 a refusal letter was sent to the business owner representing 8637415 Canada Corp advising the applicant that the proposed area for the boulevard marketing will provide insufficient sidewalk space.

On December 27, 2017 a letter was received by Municipal Licensing & Standards from the business owner representing 8637415 Canada Corp to appeal the decision of the denial for a boulevard marketing permit.

## **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