



REPORT FOR ACTION

To report on the issuance of a boulevard café permit located at 440 Bloor Street West, Howland Avenue flankage

Date: January 29, 2019

To: Toronto and East York Community Council

From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing & Standards

Wards: Ward 11 – University - Rosedale

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 issuance of a permit by Municipal Licensing and Standards for a boulevard café located at 440 Bloor Street West, Howland Avenue flankage.

RECOMMENDATIONS

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

1. The operating conditions proposed by the Ward Councillor for the proposed boulevard café permit located at 440 Bloor Street West be considered:
 - a. There shall be no amplified music or entertainment allowed on the patio and care must be taken to damp down any music that might spill into the community from inside the restaurant through open doors to the patio;
 - b. The patio will be closed and cleared by 10:00 p.m. from Sunday to Thursday, and 11:00 p.m. on Friday and Saturday;
 - c. Patrons shall only enter and exit the patio through the restaurant; there will be no entrance or exit from the patio itself on to Howland Avenue;

- d. During operation, the setup/layout of the patio shall be in substantial accordance with the plans submitted to Municipal Licensing and Standards and viewed by the Councillor's office and the local residents' association;
- e. Municipal Licensing and Standards staff will report to the Toronto and East York Community Council in one year on complaints received over the previous season of patio operations at this location. Community Council will then consider whether or not to rescind the Patio Permit in light of the staff report;
- f. There shall be no line-ups permitted outside the premises on Howland Avenue;
- g. Patrons who smoke or speak on cell phones shall be requested to do so on the Bloor Street in front of the restaurant and not in front of the houses on side streets;
- h. There shall be signage posted in a prominent location that will remind people to be considerate of the surrounding community; and
- i. A telephone number will be provided and posted for neighbours to register concerns or complaints.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard café on the Howland Avenue flankage of 440 Bloor Street West, was received on September 28, 2017 from the business owner representing 2587356 Ontario Corp., operating as Victory Cafe.

The application submitted was seeking permission to establish a boulevard café on the Howland Avenue flankage for 69.71 square metres which would accommodate approximately 46 patrons. (Appendix No. 1 and 2)

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.

A request from the Ward Councillor was received on October 23, 2017 for the matter to be brought forward to the Toronto and East York Community Council to impose operating conditions and change the permitted operating hours on the boulevard café permit application.

COMMENTS

Due to staff oversight the application for a boulevard café permit located at 440 Bloor Street West, Howland Avenue flankage was not brought forward to the Toronto and East York Community Council.

On November 27, 2017 Municipal Licensing and Standards issued a boulevard café permit to 2587356 Ontario Corp., operating as Victory Cafe. The permit was issued without the Councillor imposed operating conditions.

CONTACT

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SIGNATURE

Fiona Chapman
Director
Business Licensing and Regulatory Services
Municipal Licensing and Standards

ATTACHMENTS

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