

Refusal of a boulevard café permit application located at 680 College Street, Beatrice Street 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.

This is a report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a boulevard café permit located at 680 College Street, Beatrice Street flankage.

RECOMMENDATIONS

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

The application for the proposed boulevard café permit located at 680 College Street, Beatrice 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 permit on the commercial frontage of 680 College Street was received on April 4, 2018 from the business owner representing 2539145 Ontario Inc., operating as Awai Restaurant. The application submitted was seeking

permission to establish a boulevard café on the commercial frontage of 680 College Street for 12.46 square metres which would accommodate approximately 8 patrons.

The business owner representing 2539145 Ontario Inc., operating as Awai Restaurant was first issued a boulevard café permit for the commercial frontage on July 31, 2018.

COMMENTS

An application for a boulevard café permit on the Beatrice Street flankage was first received on April 4, 2018 from the business owner representing 2539145 Ontario Inc. operating as Awai Restaurant. The application submitted was seeking permission to establish a boulevard café on the Beatrice Street flankage for 22.96 square metres which would accommodate approximately 15 patrons. (Appendix No. 1 and 2)

The former City of Toronto Municipal Code Chapter 313-36B (4) requires a public poll of owners and tenants within 120 metres of the proposed café on a residential flank.

A poll was conducted on June 6, 2018 with the last date for filing a response being July 5, 2018 by the City Clerk's Office, Elections and Registry Services in English, and included the premises between 172-212 Beatrice Street, 672-680 College Street and 163-217 Beatrice Street to determine neighbourhood support.

The results of the poll received from the City Clerk's Office, Election and Registry Services indicate that the number of the ballots received did not meet the minimum response rate. The provisions of Municipal Code Chapter 190 indicate that if the minimum response is not met, the application must be refused.

On July 11, 2018, a letter was sent to the business owner advising that the boulevard café permit application was denied due to the minimum response rate not being met during the polling process.

On July 31, 2018 Municipal Licensing and Standards received a letter of appeal from the business owner representing 2539145 Ontario Inc. operating as Awai Restaurant.

Furthermore, when there is a negative response, re-polling for the same purpose may not take place until two years have passed from the closing date of the previous poll. Accordingly, no further application for boulevard café privileges at this location can be accepted until July 5, 2020.

CONTACT

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SIGNATURE

Fiona Chapman
Director
Business Licensing and Regulatory Services
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ATTACHMENTS

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