

Refusal of an application for a boulevard café permit located at 356 College Street, Brunswick Avenue flankage

Date: February 26, 2019
To: Toronto and East York Community Council
From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing & Standards
Wards: Ward

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 at 356 College Street, Brunswick Avenue flankage.

RECOMMENDATIONS

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

1. The application for the proposed boulevard café permit located at 356 College Street, Brunswick Avenue 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 located at was 356 College Street, Brunswick Avenue flankage first received on November 1, 2018, from the business owner

representing Sweet Secret Confections Inc. The application submitted was seeking permission to establish a boulevard café at 356 College Street, Brunswick Avenue for 29.53 square metres which would accommodate approximately 22 patrons.

A boulevard café permit was first issued at this location on July 8, 2010 for 50.53 square metres, which would have accommodated approximately 42 patrons. The permit expired on September 2, 2018.

COMMENTS

An application for a boulevard café area located at 356 College Street, Brunswick Avenue flankage was received on November 1, 2018. The application submitted was seeking permission to establish a boulevard café on the Brunswick Avenue flankage for 29.53 square metres which would accommodate approximately 22 patrons. (Appendix No. 1 and 2)

A site inspection conducted on November 7, 2018 revealed that the boulevard café area would only provide a pedestrian clearance of 0.74 metres from the installed tree planter and Hydro pole and 1.43 metres from the tree planter to the curb. 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 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.

On November 9, 2018 a refusal letter was sent to the business owner representing Sweet Secret Confections Inc., advising the applicant that the proposed boulevard café area will provide insufficient sidewalk space.

On November 20, 2018 a letter was received by Municipal Licensing & Standards from the business owner representing Sweet Secret Confections Inc to appeal the decision to deny the boulevard café area located at 356 College Street, Brunswick Avenue flankage.

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





APPENDIX

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