

Refusal of a Boulevard Café Permit Application Located at 413A Spadina Road, Lonsdale Road Flankage

Date: March 1, 2019

To: Toronto and East York Community Council

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

Wards: Ward 12 – Toronto-St. Paul's

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 413 Spadina Road, Lonsdale Road flankage.

RECOMMENDATIONS

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

1. The application for the proposed boulevard café located at 413A Spadina Road, Lonsdale Road flankage 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 located at 413 Spadina Road, Lonsdale Road flankage.

COMMENTS

An application for a boulevard café located at 413 Spadina Road, Lonsdale Road flankage was received on June 7, 2018 from the business owner representing Lettieri Food Services Inc., operating as Hero Certified Burgers. The application submitted was seeking permission to establish a boulevard café on the Lonsdale Road flankage for 23.27 square metres which would accommodate approximately 17 patrons. (Appendix No. 1)

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

A poll was conducted on July 25, 2018 with the last date for filing a response being September 11, 2018 by the City Clerk's Office, Elections and Registry Services in English and included the premises between 306-326 Lonsdale Road, 309-329 Lonsdale Road, 413A Spadina Road and 415 Spadina Road 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.

The applicant was notified of the refusal in writing on September 17, 2018.

On September 24, 2018 Municipal Licensing and Standards received a letter of appeal from the business owner representing Lettieri Food Services Inc., operating as Hero Certified Burgers.

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 September 11, 2020.

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