

Refusal of an application for a boulevard cafe permit located at 663-665 King Street West

Date: March 26, 2019
To: Toronto and East York Community Council
From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing & Standards
Wards: Ward 10- Spadina - Fort York

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 cafe located at 663-665 King Street West.

RECOMMENDATIONS

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

1. The application for the proposed boulevard marketing located at 663-665 King Street West be denied.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard cafe permit located at 663-665 King Street West was first received on December 23, 2013 from the business owner representing The Banknote Bar.

The application was first approved on December 23, 2013. The permit expired on January 24, 2016. Permits expired more than one year, require a new application to be submitted.

An application for a boulevard cafe permit located at 663-665 King Street West was submitted on August 4, 2018 from the business owner The Banknote Bar Inc., operating as The Banknote Bar.

The application submitted was seeking permission to establish a boulevard cafe area on the commercial frontage at 663-665 King Street West for 15.55 square metres which would accommodate approximately 11 patrons and on the commercial flankage at 663-665 King Street West located on Bathurst Street for 16.55 square metres which would accommodate 13 patrons.

COMMENTS

An application for a boulevard cafe permit located at 663-665 King Street West was submitted on August 4, 2018 from the business owner representing the Banknote Bar Inc., operating as The Banknote Bar. (Appendix No. 1 and 2)

A site inspection conducted on August 20, 2018 revealed that the boulevard cafe area would only provide a pedestrian clearance of 1.79 metres from the installed tree pavers and 1.63 metres from the hydro pole. 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 cafe area 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 17, 2018 a refusal letter was sent to the business owner representing Banknote Bar Inc., advising the applicant that the proposed cafe area will provide insufficient sidewalk space.

On January 3, 2019 a letter was received by Municipal Licensing & Standards from the business owner representing Banknote Bar Inc., to appeal the decision to deny the boulevard cafe area located at 663-665 King Street West.

CONTACT

Pat Thomback
Supervisor
Licensing Services
Municipal Licensing & Standards
Telephone: (416) 392-3128 Fax: (416) 392-4515
E-mail: pat.thomback@toronto.ca

SIGNATURE


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

ATTACHMENTS

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