

Refusal of a curbside cafe permit application located at 997 Bay Street, St. Joseph Street flankage

Date: March 29, 2019
To: Toronto and East York Community Council
From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing & Standards
Wards: Ward 13- Toronto Centre

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 curbside cafe permit located at 997 Bay Street, St. Joseph Street flankage.

RECOMMENDATIONS

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

1. The application for the proposed curbside cafe located at 997 Bay Street, St. Joseph Street 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 curbside cafe permit located at 997 Bay Street, Joseph Street flankage.

COMMENTS

An application for a curbside cafe located at 997 Bay Street, St. Joseph Street flankage was received on June 13, 2018 from the business owner representing 2410708 Ontario Inc., operating as Striker Sportsbar. The application submitted was seeking permission to establish a boulevard curbside cafe located at 997 Bay Street, St. Joseph St. flankage 5.08 square metres which would accommodate approximately 4 patrons. (Appendix No. 1 and 2)

The processing of boulevard cafe applications is governed by the criteria set out in the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks. The current criteria of the Code provides for the owner or occupant of a property, which may be lawfully used for industrial or commercial purposes and which abuts on a boulevard to operate on a property a licensed restaurant, take-out restaurant, refreshment establishment or lunch counter. Chapter 313, section-36 has no provision or criteria for curbside cafes.

A refusal letter was sent on August 14, 2018 to the business owner representing 2410708 Ontario Inc., operating as Striker Sportsbar, advising the application would be refused based on the City of Toronto municipal Code Chapter 313, which has no provision or criteria for curbside cafes.

On August 24, 2018 a letter was received by Municipal Licensing & Standards from the business owner representing 2410708 Ontario Inc., operating as Striker Sportsbar, to appeal the decision of the denial for a curbside cafe permit.

A poll was conducted on March 14, 2019 in English with the last date for filing a response being April 12, 2019 by the City Clerk's Office, Elections and Registry Services and included the premises between 987,991,995,997 and 1001 Bay Street, 2, 4 and 6 Phipps Street, 21 and 31 Irwin Avenue and 11-44 St Joseph Street to determine neighbourhood support.

The results of the poll received from the City Clerk's Office were not available at the time of this report.

In addition, Municipal Licensing and Standards has received several noise related complaints in regards to the eating establishment.

The following are the dates the noise complaints were received: June 10, 2011, May 7, 2012, April 16, 2013, June 21, 2013 and August 12, 2013

CONTACT

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SIGNATURE


Fiona Chapman
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Business Licensing and Regulatory Services
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ATTACHMENTS

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