

Refusal of a boulevard café permit application located at 1588 Dupont Street, Franklin Avenue flankage

Date: May 29, 2019

To: Toronto and East York Community Council

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

Wards: Ward 9 – Davenport

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 1588 Dupont Street, Franklin Avenue flankage.

RECOMMENDATIONS

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

1. The application for the proposed boulevard cafe permit located at 1588 Dupont Street, Franklin Avenue 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 permit located at 1588 Dupont Street, Franklin Avenue flankage.

COMMENTS

An application for a boulevard café located at 1588 Dupont Street, Franklin Avenue flankage was received on January 11, 2019 from the business owner representing Love Chix Inc. operating as Love Chix. The application submitted was seeking permission to establish a boulevard café on 1588 Dupont Street, Franklin Avenue flankage for 56.95 square metres which would accommodate approximately 50 patrons. (Appendix No. 1 and 2).

Upon receipt of an application, it is reviewed for compliance with the physical criteria of Chapter 313-36 of the Former City of Toronto Municipal Code.

The proposed boulevard café flanks a residential zone, and the former City of Toronto Municipal Code Chapter 313-36 F requires that no part of the boulevard café is less than 25 metres from a residential zone.

A site inspection conducted on March 28, 2019 revealed that the boulevard café area is located within 16.20 metres from a residential zone and therefore it is recommended that the application be refused.

On April 04, 2019, a letter was sent to the business owner advising that the boulevard café permit application does not have the required 25 metres from a residential zone.

A letter dated April 09, 2019 was received by Municipal Licensing & Standards from the business owner to appeal the decision of the denial for a boulevard café permit for 1588 Dupont Street, Franklin Avenue flankage.

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 April 8, 2019 in English, with the last date for filing a response being May 7, 2019 by the City Clerk's Office, Elections and Registry Services in, and included the premises between 198- 217 Franklin Avenue and 1588-1596 Dupont Street to determine neighbourhood support.

The results of the poll received from the City Clerk's Office, Election and Registry Services indicate that the majority of the ballots received were in favour of the proposed boulevard café.

CONTACT

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SIGNATURE

Fiona Chapman
Director
Business Licensing and Regulatory Services
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ATTACHMENTS – 1588 DUPONT STREET

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