

Refusal of a boulevard cafe permit application located at 552 College Street

Date: August 16, 2019
To: Toronto and East York Community Council
From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing and Standards
Wards: Ward 11 - University - Rosedale

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 and Standards in the matter of an application for a boulevard cafe permit located at 552 College Street.

RECOMMENDATIONS

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

1. The application for the proposed boulevard cafe located at 552 College Street 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 cafe permit located at 552 College Street.

COMMENTS

An application for a boulevard cafe located at 552 College Street was received on April 11, 2019 from the business owner representing Bangarang Team Im., operating as Bangarang. The application submitted was seeking permission to establish a boulevard cafe located at 552 College Street for 5.41 square metres which would accommodate approximately 3 patrons. (Appendix 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.

A site inspection conducted on May 6, 2019 revealed that the boulevard cafe area would provide a pedestrian clearance of 1.61 metres from the tree paver to the proposed cafe area and 1.69 metres from the bike ring. 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 area 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 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.

A refusal letter dated on July 26, 2019 was sent to the business owner representing Bangarang Team Inc. operating as Bangarang advising the applicant that the proposed boulevard cafe will provide insufficient sidewalk space as specified in Toronto Municipal Code Chapter 313.

On August 12, 2019 a letter was received by Municipal Licensing and Standards from the business owner representing Bangarang Team Inc. operating as Bangarang to appeal the decision of the denial for a boulevard cafe permit.

CONTACT

Pat Thornback
Supervisor
Licensing Services
Municipal Licensing and Standards
Telephone: (416) 392-3128 Fax: (416) 392-4515
E-mail: pat.thornback@toronto.ca

SIGNATURE


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

ATTACHMENTS - 552 COLLEGE STREET

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