

To report on the issuance of a boulevard café permit located at 12 Clinton Street

Date: October 15, 2019

To: Toronto and East York Community Council

From: Fiona Chapman, Director, Business Licensing and Regulatory Services,
Municipal Licensing & 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 issuance of a permit by Municipal Licensing and Standards for a boulevard café located at 12 Clinton Street.

RECOMMENDATIONS

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

1. The additional operating conditions proposed by the Ward Councillor for the boulevard café permit located at 12 Clinton Street be considered.
 - A. Extension of operating hours,
 - B. Increase in seating capacity.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard café located at 12 Clinton Street, was received on June 16, 2016 from the business owner representing Monarch Tavern Inc. operating as Monarch Tavern. The application submitted was seeking permission to establish a boulevard café on the commercial frontage of Clinton Street for 26.24 square metres which would accommodate approximately 19 patrons. (Appendix No. 1)

This application meets the physical criteria for a boulevard café, as set out in Chapter 313, Section 313-36 of the former City of Toronto Municipal Code.

On September 6, 2017, Toronto and East York Community Council approved the application for a boulevard café located at 12 Clinton Street with the following conditions:

1. The patio have a maximum capacity of 12 patrons and extend 2 metres from building and face onto the public right of way.
2. The patio must be cleared of all patrons, tables and chairs by 9:00 p.m.
3. The Licensee shall not provide or permit live or amplified music in outdoor areas of the premises.
4. Doors and windows must always remain closed when live or amplified music is being played inside the establishment.
5. The Licensee shall ensure that any sound resulting from the operation of the business is not audible beyond a reasonable distance from the lot line of the property on which the premises are located. This clause refers to sound that is generated by any conversation by patrons within the premises, bussing of tables, garbage and bottle disposal. A reasonable distance for such sound to be considered in non-compliance is any residential point of reception.
6. The Licensee shall provide a telephone number for residents to register concerns or complaints. This line will normally be answered by a staff member during the Licensee's published hours of operation. This line will be equipped with a functioning answering service for those periods when the Licensee's staff is otherwise occupied and when the establishment is closed.
7. The Licensee shall post prominent signage at the main exits that remind and/or encourage patrons to be considerate of the residents of the surrounding community.
8. The Licensee shall use best efforts to ensure that all areas immediately adjacent to the establishment are clean and free of litter, refuse and other debris.
9. The Licensee shall provide staff to supervise all outdoor areas while patio is in operation and at any time after 9pm when there is music played within the establishment.

10. Municipal Licensing and Standards regularly monitor the property and to report to Toronto and East York Community Council in July 2018 on complaints received at this location, or sooner if by-law infractions are acted upon by enforcement officials.

On October 5, 2017 the application was approved and a permit was issued for 17.30 square meters located on the commercial frontage of 12 Clinton Street with accordance to Toronto and East York Community Councils decision. (Appendix No. 1 and No. 2)

On July 24, 2019 a written request was received from the Ward Councillor for Municipal Licensing & Standards to bring forward a report to the Toronto and East York Community Council to consider additional permit conditions.

COMMENTS

As of the issuance of the boulevard café permit, no additional noise complaints have been received by Municipal Licensing & Standards.

CONTACT

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SIGNATURE

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

ATTACHMENTS – 12 CLINTON STREET

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