

Refusal of a boulevard cafe permit application located at 3104 Dundas Street West, Clendenan Avenue flankage

Date: January 15, 2020

To: Toronto and East York Community Council

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

Wards: Ward 4 – Parkdale – High Park

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 café area located at 3104 Dundas Street West, Clendenan Avenue flankage.

RECOMMENDATIONS

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

The application for the proposed boulevard cafe permit located at 3104 Dundas Street West, Clendenan 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 3104 Dundas Street West, Clendenan Avenue flankage.

COMMENTS

An application for a boulevard cafe located at 3104 Dundas Street West, Clendenan Avenue flankage was received on August 28, 2019 from the business owner representing 1595692 Ontario Inc. operating as Jayne's Gourmet Catering. The application submitted was seeking permission to establish a boulevard cafe on the Clendenan Avenue flankage for 4.54 square metres which would accommodate approximately 3 patrons. (Appendix No. 1)

The proposed boulevard cafe flanks a residential zone, and the former City of Toronto Municipal Code Chapter 313-36 (F) requires that no part of the boulevard cafe is less than 25 metres from a residential zone. A review of the sketch submitted was conducted on October 7, 2019 and revealed that the boulevard cafe area is located within 18.0 metres from a residential zone and therefore it is recommended that the application be refused. (Appendix No. 2)

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 cafe on a residential flank.

A poll was conducted on October 7, 2019 in English, with the last date for filing a response being November 5, 2019 by the City Clerk's Office, Elections and Registry Services, and included the premises between 531-569 Clendenan Avenue and 3104-3110 Dundas Street West 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.

On October 2, 2019 a refusal letter was sent to the business owner advising that the boulevard cafe permit application does not have the required 25 metres from a residential zone.

A letter received on October 15, 2019 by Municipal Licensing & Standards from the business owner to appeal the decision of the denial for a boulevard cafe permit on the Clendenan flankage.

CONTACT

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SIGNATURE

Marcia Stoltz
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Business Licensing and Regulatory Services
Municipal Licensing and Standards

ATTACHMENTS – 3104 DUNDAS STREET WEST

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