

City Council**Notice of Motion**

MM32.17	ACTION			Ward: All
----------------	---------------	--	--	-----------

Separate Licence Agreements between City of Toronto, as Licensor, and 2249487 Ontario Limited and Easy & The Fifth Inc., as Licensees, for certain premises located at 229 Richmond Street West - by Councillor Joe Cressy, seconded by Mayor John Tory

** Notice of this Motion has been given.*

** This Motion is subject to referral to the General Government and Licensing Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Joe Cressy, seconded by Mayor Tory, recommends that:

1. City Council authorize the City of Toronto to enter into separate licence agreements with 2249487 Ontario Limited (operating as The Ballroom) and Easy & The Fifth Inc. (collectively, the "Licensees") on a nominal basis substantially on the terms and conditions in Appendix A to Motion MM32.17, including such other terms as deemed appropriate by the Executive Director, Corporate Real Estate Management, or their designate, and in a form satisfactory to the City Solicitor.

Summary

CaféTO is a significant pandemic response program initiated in Spring 2020 to support local Toronto businesses by accommodating rapid access to the public right-of-way for expanded outdoor dining, among other benefits. City Council authorized the renewal of the program with additional enhancements in January 2021. In alignment with the intent and principles of CaféTO, and to provide the most assistance possible to businesses that have been impacted by the hardships of the pandemic, the City of Toronto has made continuous efforts to provide restaurant owners with access to vacant/unused municipal property abutting restaurants that do not meet the CaféTO program criteria.

In summer of 2020, 2249487 Ontario Limited (operating as The Ballroom) and Easy & The Fifth Inc. (collectively, the "Licensees") requested to operate outdoor patios at 229 Richmond Street West (the "Property"), which is a City-owned vacant lot, because they were not qualified under the CaféTO program due to the restaurants abutting the Property. Consequently, the City granted separate licenses over a part of the Property (the "Licensed Area") to each of the Licensees to use for outdoor patio purposes for a term of two (2) weeks commencing July 17, 2021 and expiring July 31, 2021 at fair market value license fees. The Licensees' use of the Licensed Area was governed by the guidelines under the CaféTO program. At its meeting on July 28 2020, City Council authorized the extension of the terms of the licenses until November

16, 2020 and waived the licence fees for the use of the Licensed Area, and additionally enacted a temporary use by-law (the "Site Specific By-law") permitting the use of Property as an outdoor patio.

The Licensees have requested the use of the Licensed Area until January 2, 2022 on similar terms and conditions as provided for in the previous license agreements. Pursuant to Item PH21.7, the Site Specific By-law has been extended by City Council to permit the use of the Licensed Area for outdoor patio purposes until April 14, 2022.

Background Information (City Council)

Member Motion MM32.17

Appendices A and B

<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-166465.pdf>