

Issuance of a Sidewalk Café permit located at 590 Pape Avenue, Wroxeter Avenue flakage.

Date: January 29, 2021
To: Toronto and East York Community Council
From: Director, Business Licensing and Regulatory Services,
Municipal Licensing & Standards
Wards: Ward 14 – Toronto - Danforth

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 Sidewalk Café located at 590 Pape Avenue, Wroxeter Avenue flankage.

RECOMMENDATIONS

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

1. Toronto and East York Community Council receive the report for information.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a Boulevard Café located at 590 Pape Avenue, Wroxeter Avenue flankage, was received on December 24, 2015 from the business owner representing Bullseye (3d Marketing Solutions) Corp. operating as The Shmooz. The application submitted was seeking permission to establish a sidewalk café on the flankage of Wroxeter Avenue for 38.95 square metres which would accommodate approximately 30 patrons. (Appendix No. 1)

This application met 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 June 14, 2016, Toronto and East York Community Council approved the application for a boulevard café located at 590 Pape Avenue, Wroxeter Avenue flankage with the following conditions:

- a. The patio of 38.95 sq. metres as shown in the report (April 22, 2016) from the Director, Business Licensing and Regulatory Services, Municipal Licensing and Standards, be reduced to 29.93 sq. metres and moved east of the Elm tree.
- b. The 30 patron seats as shown in the report (April 22, 2016) from the Director, Business Licensing and Regulatory Services, Municipal Licensing and Standards, be reduced to a maximum of 24 patio seats.
- c. Patio to be a minimum of 17.5 metres away from the adjacent residential property to the rear of the subject property.
- d. The rear patio be fitted with opaque privacy screening or fencing that is permanent, and a minimum of 2 metres in height from the floor of the patio.
- e. The entrance of the patio off of Wroxeter as shown in the report (April 22, 2016) from the Director, Business Licensing and Regulatory Services, Municipal Licensing and Standards, be moved to the east side of the patio in consultation with Municipal Licensing and Standards.
- f. Hours of operation of patio shall not be later than 8:00 p.m. Monday to Sunday.
- g. No alcoholic sales are permitted on the patio and on the premises.
- h. There shall be no amplified music or entertainment allowed on the patio.
- i. There shall be signage posted in a prominent location that will remind people of the hours of operation and to be considerate of the surrounding community.
- j. A telephone number will be provided for neighbors to register concerns or complaints, with both the establishment and with the City.

k. Municipal Licensing and Standards will report to the Toronto and East York Community Council in the first quarter of 2017 on complaints received during the previous season of patio operations at this location.

l. Any new applications for the transfer of the boulevard café permit to be referred to the Toronto and East York Community Council for consideration.

COMMENTS

On Jun 29, 2016 the application was approved and a permit was issued for 29.93 square meters located on the Wroxeter Avenue flankage of 590 Pape Avenue with accordance to Toronto and East York Community Councils decision. (Appendix No. 1 and No. 2)

A new application for a Sidewalk Café located at 590 Pape Avenue, Wroxeter Avenue flankage was received on February 27, 2020 from the business owner representing The Shmooz Inc. operating as The Shmooz.

As part of the previously approved conditions, MLS is to report on any new transfer applications received for Municipal Licensing & Standards to bring forward a report to the Toronto and East York Community Council to consider continuance of permit.

No 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 – 590 PAPE AVENUE, WROXETER AVENUE FLANKAGE

1. Sketch of Sidewalk Café area
2. Photos of Sidewalk Café area