

Refusal of a Sidewalk Cafe Permit Application Located at 740 St. Clair Avenue West, Rushton Road flankage

Date: June 20, 2024

To: Toronto and East York Community Council

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

Wards: Ward 12 – Toronto-St. Paul's

SUMMARY

The purpose of this staff report is to report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a Sidewalk Café permit located at 740 St. Clair Avenue West, Rushton Road flankage.

RECOMMENDATIONS

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

1. Community Council deny the application for the proposed Sidewalk Café permit located at 740 St. Clair Avenue West, Rushton Road flankage.

OR

2. Community Council approve the application for the proposed Sidewalk Cafe permit located at 740 St. Clair Avenue West, Rushton Road flankage.

FINANCIAL IMPACT

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

DECISION HISTORY

This is a new application for a sidewalk cafe permit located at 740 St. Clair Avenue West, Rushton Road flankage.

COMMENTS

An application for a sidewalk café permit located at 740 St. Clair Avenue West, Rushton Avenue flankage was received on May 2, 2024, from the business owner representing 1629731 Ontario Ltd. operating as The Rushton. The application submitted was seeking permission to establish a sidewalk cafe on the Rushton Road flankage for 70.18 square metres which would accommodate approximately 55 patrons.
(Attachment 1 and 2).

This application meets the physical criteria for a sidewalk cafe permit, as set out in Chapter 742 of the City of Toronto Municipal Code.

The City of Toronto Municipal Code Chapter 742-2.3 requires all applicants for flankage cafes to display a public notice posting of the application at the establishment for no less than 21 days.

Furthermore, the City of Toronto Municipal Code Chapter 742-2.3 also requires that all property owners and occupants located within a 60-metre radius of the proposed café location on a local road be notified in writing.

A public mail-out of 357 letters was mailed and a total of 5 objections to the public posting were received by Municipal Licensing & Standards.

A refusal letter was sent on May 22, 2024, to the business owner, advising the applicant that multiple objections were received, and that the sidewalk café permit application was denied.

On May 23, 2024, a letter was received by Municipal Licensing & Standards from the business owner, to appeal the decision of the denial for a Sidewalk Café permit.

CONTACT

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SIGNATURE

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ATTACHMENTS

1. Site Plan of Sidewalk Café location
2. Photo of Sidewalk Café location