

Application for a Sidewalk Café permit located at 744 St. Clair Avenue West, Rushton Road flankage

Date: December 17, 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 with deck at 744 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 with deck at 744 St.Clair Avenue West, Rushton Road flankage.

OR

2. Community Council approve the application for the proposed Sidewalk Café permit with deck at 744 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 Café permit with deck located at 744 St.Clair Avenue West, Rushton Road flankage.

COMMENTS

An application for a Sidewalk Café permit with deck located at 744 St.Clair Avenue West, Rushton Road flankage, was received on May 7, 2024, from the business owner representing Romis Corp. operating as Romis. The application submitted was seeking permission for a Sidewalk Café with deck area on the Rushton Road flankage for 42.40 square metres which would accommodate approximately 31 patrons. (Attachment No. 1 and 2)

Upon receipt of an application, it is reviewed for compliance with the physical criteria of Chapter 742 of the City of Toronto Municipal Code. This application does not meet the physical criteria for a Sidewalk Café, as set out in Chapter 742, Section 10.12 A, B, C, D (Decks) of the City of Toronto Municipal Code.

Decks are only permitted on frontage cafés with permit areas where the sidewalks exceed a slope of 5 percent or special accommodation is being made to protect mature trees.

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 283 letters was mailed and a total of 2 objections to the public posting were received by Municipal Licensing & Standards.

On September 26, 2024, a refusal letter was sent by Municipal Licensing & Standards to the business owner advising that the sidewalk café permit application was denied.

On October 8, 2024, a letter was received by Municipal Licensing & Standards from the business owner, to appeal the decision of the denial for a Sidewalk Café.

CONTACT

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SIGNATURE

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ATTACHMENTS – 744 ST. CLAIR AVENUE WEST

1. Site Plan of Sidewalk Café location
2. Photos of Sidewalk Café location
3. Deck drawings
4. Excerpts from Chapter 742 – Sidewalk Cafés, Parklets and Marketing Displays