

Refusal of Curb Lane Café Permit Renewal - 968 Bathurst Street

Date: May 11, 2026

To: Toronto and East York Community Council

From: Acting Director, Street Permits, Transportation Services

Wards: Ward 11 - University-Rosedale

SUMMARY

This staff report addresses the refusal of a renewal application for a Curb Lane Café permit at 968 Bathurst Street in accordance with Chapter 742, Sidewalk Cafés, Parklets and Marketing Displays of the Toronto Municipal Code. Community Council has delegated authority from City Council to make a final decision on this matter.

Transportation Services recommends that the renewal application be denied. Although the application satisfies the applicable physical requirements for a Curb Lane Café permit, the applicant has an outstanding bylaw fine related to a sidewalk display installed without a permit in the amount of \$746.00. As of May 11, 2026, when this report was prepared, the fine remains unpaid.

RECOMMENDATIONS

The Acting Director, Street Permits, Transportation Services recommends that:

1. Toronto and East York Community Council deny the renewal application for the proposed Curb Lane Café permit located at 968 Bathurst Street.

FINANCIAL IMPACT

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

DECISION HISTORY

City Council, at its meeting of March 27 and 28, 2019 adopted a harmonized by-law for outdoor dining and marketing in the right-of-way, establishing Toronto Municipal Code Chapter 742, Sidewalk Cafés, Public Parklets and Marketing Displays.

COMMENTS

An application to renew a Curb Lane Café permit at 968 Bathurst Street under the 2026 CaféTO Program, operating from May 1 to October 15, was received on February 9, 2026, from The Scoop & Cup Inc., operating as El Pocho. The applicant is seeking renewal for a Curb Lane Café that occupies 19.8 square metres (Attachment 1).

The application satisfies the applicable physical criteria for a Curb Lane Café permit as set out in Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays, of the City of Toronto Municipal Code.

As part of the permit review process, Transportation Services assessed the application and determined that the applicant has an outstanding bylaw fine related to a sidewalk display installed without a permit, contrary to Section 742-3.2(5) of the Toronto Municipal Code. The offence occurred on August 28, 2025, with a conviction date of October 28, 2025. As of May 11, 2026, the fine remains outstanding.

In addition, Section 742-9.1(A) of the Toronto Municipal Code states that, "No sidewalk café or marketing display permit holder may use a permit area in whole or in part for any purpose other than the operation of an approved sidewalk café or marketing display, as applicable, in accordance with the chapter".

The applicant has operated a Curb Lane Café at this location continuously since 2022.

There is currently no active sidewalk café permit for this location.

On April 28, 2026, Transportation Services issued a refusal letter to the business owner advising that the Curb Lane Café permit application had been denied due to the outstanding bylaw fine.

On the same day, Transportation Services received an email from the business owner appealing the decision.

The Ward Councillor has been advised of the recommendation of this staff report.

CONTACT

Marco Savino, Manager, Street Permits
Street Permits, Transportation Services
Tel: 416-394-8422
Email: Marco.Savino@toronto.ca

SIGNATURE

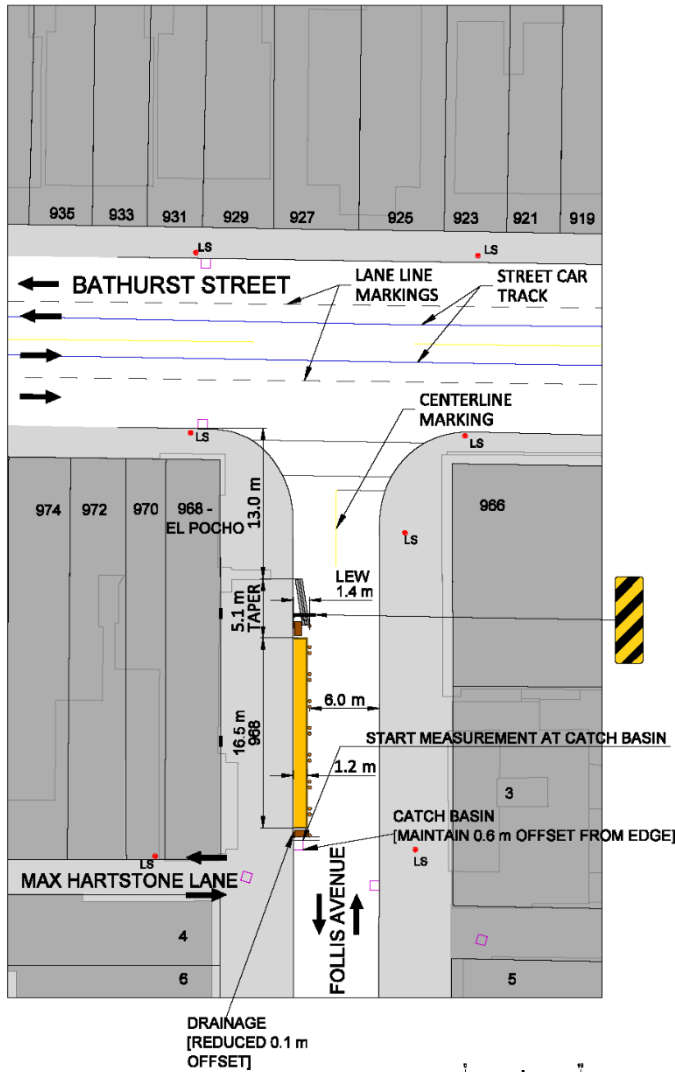
Nazzareno A. Capano, P. Eng.
Acting Director, Street Permits, Transportation Services

ATTACHMENTS

Attachment 1: Traffic Plan - 968 Bathurst Street

Attachment 1: Curb Lane Café Traffic Plan at 968 Bathurst Street

TORONTO
 No BIA
 CaféTO 2026
 Traffic Plan 10
 Max Hartstone Lane to
 Bathurst Street
 3-5 Follis Avenue



LEGEND

- TCB / JERSEY WALL (4.00m x 0.6m) (1)
- CONCRETE BLOCK (1.50m x 0.75m) (0)
- CONCRETE BLOCK (1.20m x 0.6m) (2)
- TC-51 2 CANDLESTICKS (8)
- W-33R HAZARD SIGN (1)
- CAFE PLATFORM (1)
- TRAFFIC DIRECTION (1)
- SIGNAGE (1)
- TTC STOP (1)
- FIRE HYDRANT (1)
- CATCHBASIN (1)
- EXISTING POLE - LIGHT STANDARD/TRAFFIC SIGNAL/HYDRO (1)
- LS/TS/HP (1)
- ON STREET PAY PARKING SPACES LOST (3)
- LEW LEADING EDGE WIDTH (1)
- MIN. MINIMUM CYCLING OFFSET (1)

OPERATOR NAME	LENGTH (m)	WIDTH (m)
EL POCHO	16.5	1.2

REVISION HISTORY		
NO.	DESCRIPTION	DATE
1.	INITIAL DRAFT	P.M. 04/23/2025
2.	ISSUED FOR INSTALL	R.P. 04/01/2026
3.	AS-BUILT	-
DRAWN BY: P.M.		FIELD VERIFY BY: P.M.