

**Operation of Boulevard Café - Herbs Fine Foods and Catering -
Woburn Avenue Flank of 3202 Yonge Street
(North Toronto)**

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The Toronto Community Council recommends the adoption of the following report (November 10, 1999) from the Manager, Right of Way Management, Transportation Services, District 1:

Purpose:

To report on the operation of the boulevard cafe on the Woburn Avenue flank of 3202 Yonge Street during the 1998 and 1999 cafe seasons.

Financial Implications and Impact Statement:

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

Recommendation:

It is recommended that City Council approve the continuation of the licence for the boulevard cafe on the Woburn Avenue flank of 3202 Yonge Street, with the same terms and conditions as previously approved, i.e. 11:00 p.m. closing time, 7 days a week, since there were no complaints received from the neighbourhood.

Background:

City Council, at its meeting of September 22 and 23, 1997, approved the application for a boulevard cafe on the Woburn Avenue flank of 3202 Yonge Street, notwithstanding the negative result of the public poll, subject to the applicant complying with the criteria set out in § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code. Furthermore, the applicant was required to pay for the removal of the ramp on the Woburn Avenue flank which was made obsolete due to the relocation of licensed commercial boulevard parking.

In addition, the Commissioner of Works and Emergency Services was requested to report back on the operation of the boulevard cafe at the conclusion of two seasons.

Comments:

A licence for the cafe on the Woburn Avenue flank of 3202 Yonge Street was issued on October 31, 1997. Payment was received for the removal of the obsolete ramp on October 21, 1997.

Periodic inspections during the 1998 and 1999 cafe seasons confirmed that the proprietor complied with the restrictions of the boulevard cafe agreement and the other requirements of § 313-36 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, including the closing time restriction of 11:00 p.m.

In addition, we have not received any complaints from members of the public or Toronto Police Service pertaining to noise or other disturbances at the subject location.

Conclusions:

Given the cafe operated during the 1998 and 1999 cafe seasons without any incidents, we recommend the continuation of the licence.

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