Refusal of a boulevard café permit application located at 3204 Yonge Street, Woburn Avenue flankage

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<tr>
<th>Date:</th>
<th>December 17, 2012</th>
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<td>To:</td>
<td>North York Community Council</td>
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<tr>
<td>From:</td>
<td>Bruce Robertson, Director, Licensing Services, Municipal Licensing &amp; Standards</td>
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<td>Wards:</td>
<td>Ward 16 Eglinton Lawrence</td>
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**SUMMARY**

This staff report is about a matter for which the North York Community Council has delegated authority from City Council to make a final decision.

To report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a boulevard café permit located at 3204 Yonge Street, Woburn Avenue flankage.

**RECOMMENDATION**

Municipal Licensing and Standards recommends that the North York Community Council:

1. Deny the application for the proposed boulevard café permit located at 3204 Yonge Street, Woburn Avenue flankage.

**Financial Impact**

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

**DECISION HISTORY**

An application for a boulevard café located at 3204 Yonge Street, on the Woburn Avenue flankage was received on April 24, 2012 from 2280413 Ontario Inc, operating as Menchies Frozen Yogurt.

The application submitted is seeking permission to establish a boulevard café on the Woburn Avenue flankage for 10.92 square meters which would accommodate approximately 7 patrons. *(Appendix No. 1)*
The former City of Toronto Municipal Code Chapter 313-36B (4) requires a public poll of owners and tenants within 120 metres of the proposed café on a residential flank.

A poll was conducted on September 25, 2012 with the last date for filing a response being October 24, 2012, by the City Clerk's Office, Elections and Registry Services in English for the premises between 14 – 52 Woburn Avenue, 15 – 47 Woburn Avenue and 3202 Yonge Street.

The results of the poll received from the City Clerk's Office, Election and Registry Services indicate that the majority of the received ballots were not in favour.

On October 26, 2012, a refusal letter was sent to 2280413 Ontario Inc, advising that the boulevard café permit application was denied due to the majority of ballots received were not in favour.

A letter dated November 5, 2012 was received by Municipal Licensing and Standards from 2280413 Ontario Inc to appeal the decision of the denial for a boulevard café permit application on the Woburn Avenue flankage.

COMMENTS

Pursuant to Chapter 190 of the Municipal Code, since a majority of the ballots received were not in favour, this poll cannot be conducted again until October 24, 2014, two (2) years from the closing date.

CONTACT

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SIGNATURE

_____________________________
Bruce Robertson
Director
Licensing Services
Municipal Licensing & Standards

APPENDICES
1. Sketch of boulevard café
2. Photos of proposed café area