

Refusal of a boulevard café permit application located at 2592 Yonge Street, Albertus Avenue flankage

Date: January 29, 2019

To: North York Community Council

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

Wards: Ward 8 – Eglinton - Lawrence

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.

This is a 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 2592 Yonge Street, Albertus Avenue flankage.

RECOMMENDATIONS

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

The application for the proposed boulevard café permit located at 2592 Yonge Street, Albertus Avenue flankage be denied.

FINANCIAL IMPACT

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

DECISION HISTORY

An application for a boulevard café permit on the commercial frontage of 2592 Yonge Street was received on March 28, 2018 from the business owner representing 1980352 Ontario Inc., operating as Second Cup. The application submitted was seeking

permission to establish a boulevard café on the commercial frontage of 2592 Yonge Street for 7.90 square metres which would accommodate approximately 5 patrons.

The business owner representing 1980352 Inc., operating as Second Cup was first issued a boulevard café permit for the commercial frontage on June 4, 2018.

COMMENTS

An application for a boulevard café permit on the Albertus Avenue flankage was first received on March 28, 2018 from the business owner representing 1980352 Ontario Inc., operating as Second Cup. The application submitted was seeking permission to establish a boulevard café on the Albertus Avenue flankage for 9.68 square metres which would accommodate approximately 6 patrons. (Appendix No. 1 and 2)

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 June 12, 2018 with the last date for filing a response being July 11, 2018 by the City Clerk's Office, Elections and Registry Services in English, and included the premises between 2590-2590A Yonge Street, 2592 Yonge Street, 21-59 Albertus Avenue, 4-58 Albertus Avenue and 651 Duplex Avenue to determine neighbourhood support.

The results of the poll received from the City Clerk's Office, Election and Registry Services indicate that the majority of the ballots received were not in favour. The provisions of Municipal Code Chapter 190 indicate that if there is a negative response during the polling process, the application must be refused.

On July 20, 2018, a letter was sent to the business owner advising that the boulevard café permit application was denied due to the negative response during the polling process.

On June 8, 2018 Municipal Licensing and Standards received a letter of appeal from the business owner representing 1980352 Ontario Inc., operating as Second Cup.

Furthermore, when there is a negative response, re-polling for the same purpose may not take place until two years have passed from the closing date of the previous poll. Accordingly, no further application for boulevard café privileges at this location can be accepted until July 11, 2020.

CONTACT

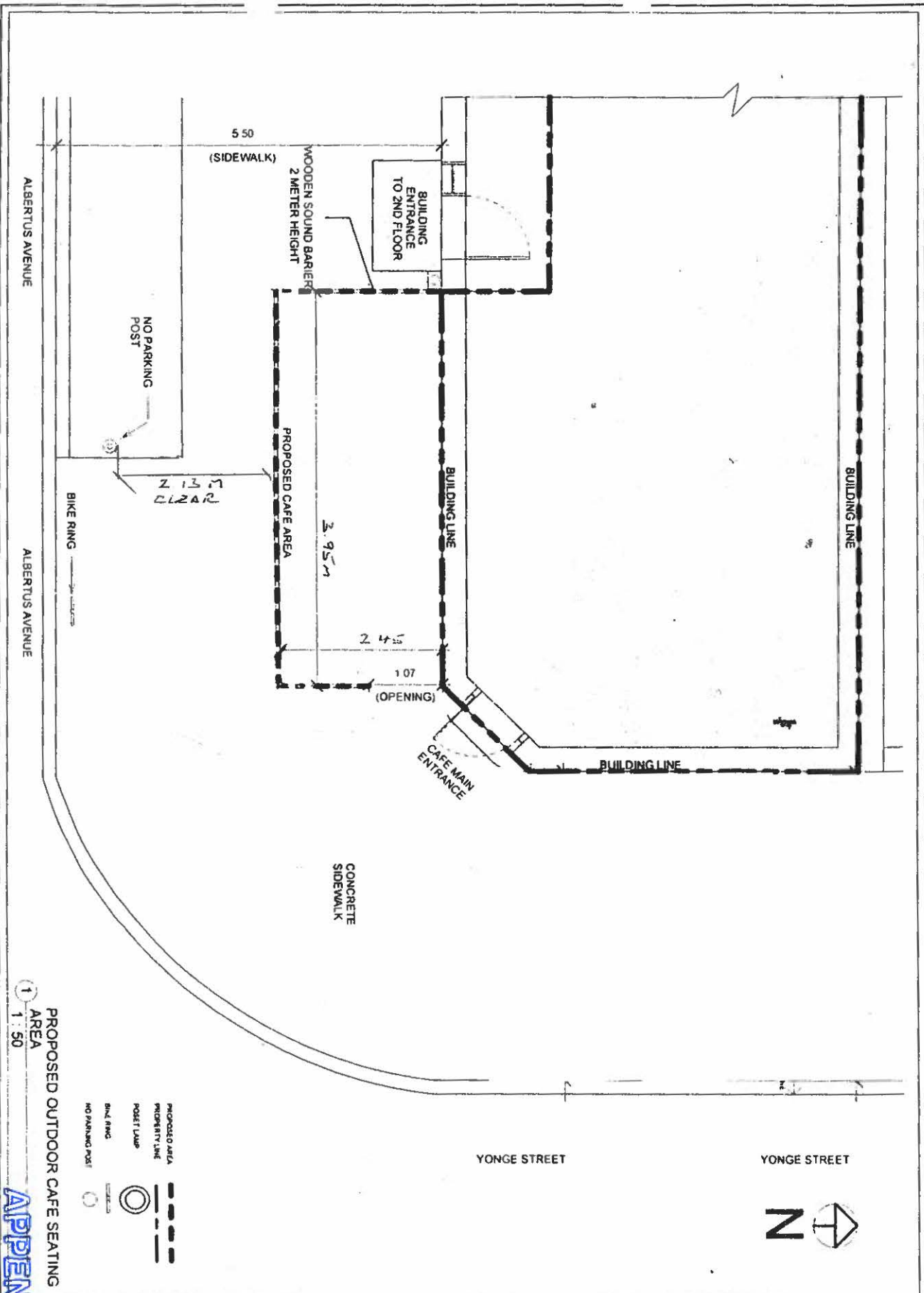
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SIGNATURE

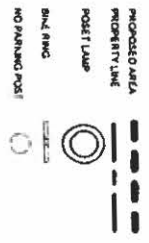
Fiona Chapman
Director
Business Licensing and Regulatory Services
Municipal Licensing and Standards

ATTACHMENTS

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



1
AREA
1:50
PROPOSED OUTDOOR CAFE SEATING



DRAWING TITLE	
PROPOSED OUTDOOR CAFE SEATING AREA	
SECOND CUP	
2592 YONGE STREET TORONTO, ON	

PROJECT NUMBER 1856		DATE 10 MARCH 2018	A101
DRAWN SA	DATE		



