

## **Refusal of an application for a boulevard café permit located at 1638 Bloor Street West, Unit 2, Indian Road flankage**

**Date:** May 27, 2019  
**To:** Toronto and East York Community Council  
**From:** Fiona Chapman, Director, Business Licensing and Regulatory Services,  
Municipal Licensing & Standards  
**Wards:** Ward 4 – Parkdale – High Park

### **SUMMARY**

---

This staff report is about a matter for which the Toronto and East 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 cafe located at 1638 Bloor Street West, Unit 2, Indian Road flankage.

### **RECOMMENDATIONS**

---

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

1. The application for the proposed boulevard cafe located at 1638 Bloor Street West, Unit 2, Indian Road flankage be denied.

### **FINANCIAL IMPACT**

---

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

## **DECISION HISTORY**

---

This is a new application for a boulevard cafe permit located at 1638 Bloor Street West, Unit 2, Indian Road flankage.

## **COMMENTS**

---

An application for a boulevard cafe permit located at 1638 Bloor Street West, Unit 2, Indian Road flankage was first received on September 27, 2018 from the business owner representing 8284342 Canada Inc., operating as DQ. The application submitted was seeking permission to establish a boulevard café on the commercial flankage of 1305 St Clair Avenue West, Indian Road flankage for 34.38 square metres which would accommodate approximately 26 patrons. (Appendix 1 and 2).

Upon receipt of an application, it is reviewed for compliance with the physical criteria of Chapter 313-36 of the Former City of Toronto Municipal Code.

On October 11, 2018 a site inspection was conducted and revealed that the boulevard café area does not abut the business submitting the application.

The proposed boulevard café does not meet the criteria set out in former City of Toronto Municipal Code Chapter 313-36E (3) indicating that the owner or occupant shall not use the area occupied for any purpose other than a boulevard cafe and shall not serve or permit to be served anything not served from the abutting premises.

On December 20, 2018 a refusal letter was sent to the business owner representing 8284342 Canada Inc. operating as DQ Treats, advising the applicant that the proposed café area is to be refused.

On January 11, 2019 a letter was received by Municipal Licensing & Standards from the business owner representing 8284342 Canada Inc., operating as DQ Treats to appeal the decision to deny the boulevard cafe area located at 1638 Bloor Street West, Unit 2, Indian Road flankage.

The former City of Toronto Municipal Code Chapter 313-36B (4) also requires a public poll of owners and tenants within 120 metres of the proposed cafe on a residential flank.

A poll was conducted in English on April 4, 2019 with the last date for filing a response being May 3, 2019 by the City Clerk's Office, Elections and Registry Services and included the premises of 1638 Bloor Street West, a condominium that is the only residential property located within 120 metres of the proposed café 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 in favour of the proposed boulevard café.

## **CONTACT**

---

Pat Thornback  
Supervisor  
Licensing Services  
Municipal Licensing & Standards  
Telephone: (416) 392-3128 Fax: (416) 392-4515  
E-mail: pat.thornback@toronto.ca

## **SIGNATURE**

---

---

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

## **ATTACHMENTS – 1638 BLOOR STREET WEST, UNIT 2, INDIAN ROAD FLANKAGE**

---

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