

## **Refusal of a boulevard cafe permit application located at 796 Bloor Street West, Crawford Street flankage**

**Date:** October 15, 2019

**To:** Toronto and East York Community Council

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

**Wards:** Ward 11 – University - Rosedale

### **SUMMARY**

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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.

This is a report on the refusal to issue a permit by Municipal Licensing & Standards in the matter of an application for a boulevard cafe permit located at 796 Bloor Street West, Crawford Street flankage.

### **RECOMMENDATIONS**

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

The application for the proposed boulevard cafe permit located at 796 Bloor Street West, Crawford Street flankage be denied.

### **FINANCIAL IMPACT**

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

### **DECISION HISTORY**

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This is a new application for a boulevard café permit located at 796 Bloor Street West, Crawford Street flankage.

## COMMENTS

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An application for a boulevard cafe located at 796 Bloor Street West, Crawford Street flankage was first received on August 7, 2019 from the business owner representing Toronto Softech Inc. operating as Banjara Indian Cuisine. The application submitted was seeking permission to establish a boulevard cafe on the Crawford Street flankage for 51.40 square metres which would accommodate approximately 45 patrons. (Appendix No. 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. This application meets the physical criteria for a boulevard café, as set out in Chapter 313, Section 313-36 of the former City of Toronto Municipal Code.

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 on August 28, 2019 in English with the last date for filing a response being September 26, 2019 by the City Clerk's Office, Elections and Registry Services, and included the premises between 718 – 758 Crawford Street, 796 and 465 Bloor Street West 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 October 7, 2019 a letter was sent to the business owner advising that the boulevard cafe permit application was denied due to the negative response during the polling process.

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 cafe privileges at this location can be accepted until September 26, 2021.

A letter October 8, 2019 was received by Municipal Licensing & Standards from the business owner representing Toronto Softech Inc. operating as Banjara Indian Cuisine to appeal the decision of the denial for a boulevard café permit.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS – 796 BLOOR STREET WEST, CRAWFORD STREET FLANKAGE**

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