



STAFF REPORT ACTION REQUIRED

Outdoor Café Encroachment Request – 3527 Lake Shore Boulevard West

Date:	January 22, 2007
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 6, Etobicoke-Lakeshore
Reference Number:	ML&S Folder No. 06-165252 RAW

SUMMARY

To report on an application by the owner of “Sloppy Joe’s Bar and Grill”, to lease 36.17 square metres of the municipal boulevard for the purpose of an Outdoor Boulevard Café at the front of 3527 Lake Shore Boulevard West.

The application request has been submitted to effected departments and utilities with no negative responses being received. In addition, the application request was circulated to landowners within a radius of 60 metres of the subject property. The results of the poll indicated one objection.

RECOMMENDATIONS

It is recommended that this application to lease 36.17 square metres (3.71 metres x 9.75 metres) of the municipal boulevard, located at the front of the establishment on Lake Shore Boulevard West, be approved in accordance with the applicant fulfilling the following conditions upon approval:

1. enter into an Encroachment Agreement with the City of Toronto;
2. documents for the agreement be prepared by the City Solicitor;
3. applicant pay all cost associated with the preparation and execution of the agreement and an annual fee to the City of Toronto for use of the road allowance in the amount of \$11.00 per square metre, plus GST. All fees are subject to change

4. the signed agreement to be returned to the City along with the required Certificate of Insurance, evidencing a third party bodily injury and property damage insurance in the amount of \$2,000,000.00 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy;
5. the said Certificate of Insurance to be renewed and a copy thereof submitted to Municipal Licensing and Standards on an annual basis for the life of the encroachment;
6. the applicant operate the boulevard café in compliance with the requirements for Municipal Code, Chapter 591, Noise;
7. the applicant shall comply at all times with regulations set out in the former Municipality of Metropolitan Toronto By-law 41-93, as amended;
8. the applicant shall obtain a construction/streets occupation permit prior to the commencement of any construction.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

An application has been submitted by the owner of “Sloppy Joe’s Bar and Grill” to operate an Outdoor Café within the road allowance at the front of the premises at 3527 Lake Shore Boulevard West, which is located at the south-east corner of Lake Shore Boulevard West and Thirty Third Street – Attachment 1.

COMMENTS

This application was circulated to Transportation Services, Toronto Fire Services and Toronto Health Services. The application was also circulated to the applicable utilities having jurisdiction, with no negative responses being received from departments or utilities. In addition, the application was circulated to property owners within a 60 metre radius of the subject property, with only one negative reply being received.

CONTACT

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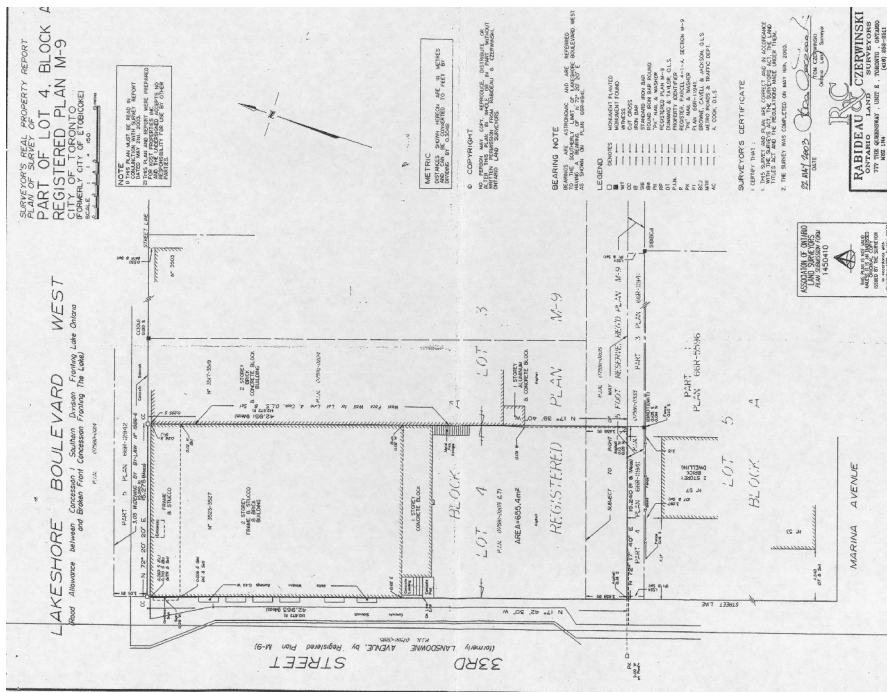
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District Manager

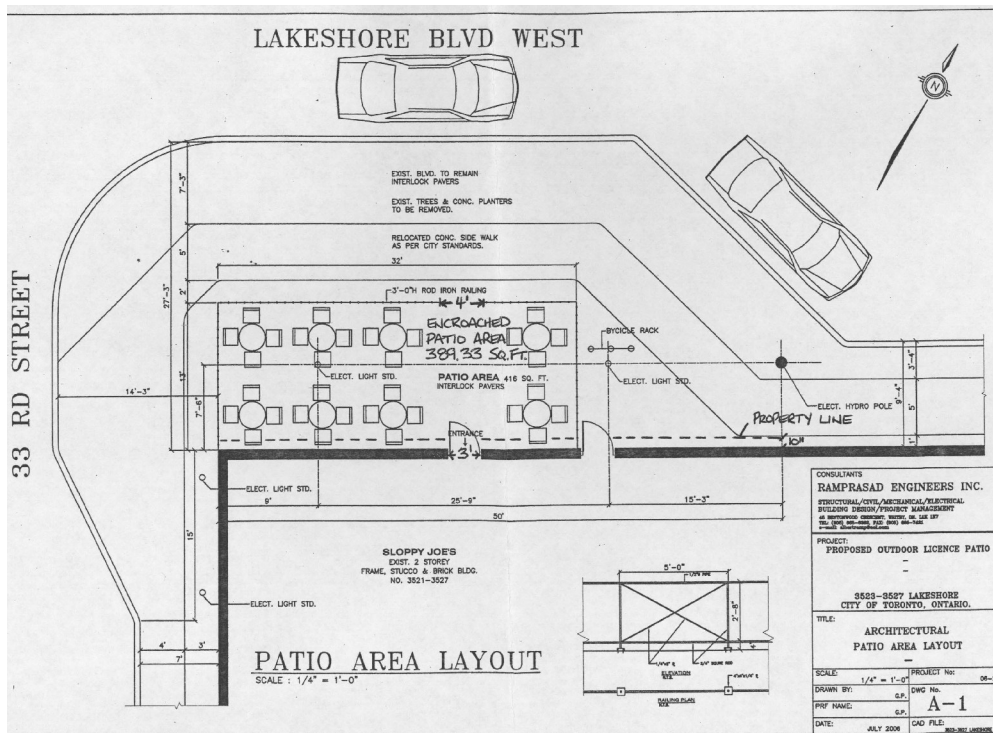
ATTACHMENTS

Attachment 1 – Site Survey and Café Detail

Attachment 1



Site Survey



Café Detail