

**Outdoor Café Encroachment Request  
3004 Bloor Street West**

<b>Date:</b>	June 13, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 5, Etobicoke Lakeshore
<b>Reference Number:</b>	ML& S Folder Number 08 149008 RAW 00 IR

**SUMMARY**

---

This staff report is in response to an application by the owner of “Just Greek Restaurant”, to lease 10.0 square metres of the municipal boulevard for the purpose of an Outdoor Boulevard Café at the front of 3004 Bloor Street West, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

**RECOMMENDATIONS**

---

**Municipal Licensing and Standards recommends that Etobicoke York Community Council approves this application on the following conditions:**

1. The applicant to enter into an Encroachment Agreement with the City of Toronto.
2. The City Solicitor to be authorized to prepare an Encroachment Agreement.
3. The applicant to pay all fees associated with the preparation and execution of this 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 (subject to changes), plus GST.
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 Certificate of Insurance shall be renewed and a copy thereof submitted to Municipal Licensing and Standards on an annual basis for the life of the encroachment.
6. The boulevard café only to be licensed for seasonal use, between the period of May 1<sup>st</sup> to October 31<sup>st</sup> and the railing and patio furniture to be removed from the public road allowance at the end of the season.
7. The applicant to maintain a minimum clear sidewalk width adjoining the patio of 2.7 metres.
8. The metal railing surrounding the outdoor patio not to exceed a height of 1.0 metre, measured from the travelled portion of Bloor Street West, and not to be permanently attached to the sidewalk.
9. The existing bench to the east of the proposed patio to be relocated, along with other street furniture in the vicinity (including the bicycle rack and the planter box) as necessary, to provide a clear passageway for pedestrians of at least 2.1 metres, and the sidewalk reinstated subsequently, to the satisfaction of the Public Realm Unit of Transportation Services and the Kingsway Business Improvement Area.
10. The applicant to obtain a construction/streets occupation permit and contact Toronto Hydro and Bell Canada prior to the commencement of any construction.
11. The applicant to operate the boulevard café in compliance with the requirements as stipulated under Toronto Municipal Code, Chapter 591, Noise.
12. The applicant to maintain the boulevard café in good repair and comply at all times with the regulations set out in the former Municipality of Metropolitan Toronto By-law 41-93, as amended.

## **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 “Just Greek Restaurant” to operate an Outdoor Café, 4.0 metres wide along the frontage and 2.5 metres deep beyond the front property line, occupying 10.0 square metres within the municipal boulevard at the front of the property at 3004 Bloor Street West (Attachments 1, 2, 3 and 4).

## COMMENTS

This application has been circulated to Transportation Services, Toronto Fire Services, Toronto Public Health, as well as the various utilities suppliers for comments. While there were no negative responses received, Transportation Services suggested the following conditions to be imposed:

- (a) It is licensed for seasonal use only.
- (b) The applicant maintains a minimum clear sidewalk width adjoining the patio of 2.7 metres.
- (c) The metal railing surrounding the outdoor patio does not exceed a height of 1.0 metre, measured from the travelled portion of Bloor Street West, and is not permanently attached to the sidewalk.
- (d) The railing and patio furniture shall be removed from the public road allowance at the end of the season.
- (e) The existing bench just to the east of the proposed patio is relocated to the satisfaction of the Public Realm Unit of Transportation Services and the Kingsway Business Improvement Area.

Toronto Hydro and Bell Canada requested the applicant to contact them respectively for areas that require special attention prior to construction.

## CONTACT

Chip Au, Supervisor  
Etobicoke York District  
Municipal Licensing and Standards  
Tel: (416)394-2533 Fax: (416)394-2904  
E-mail: [cau2@toronto.ca](mailto:cau2@toronto.ca)

## SIGNATURE

---

Curtis Sealock, District Manager  
Etobicoke York District  
Municipal Licensing and Standards

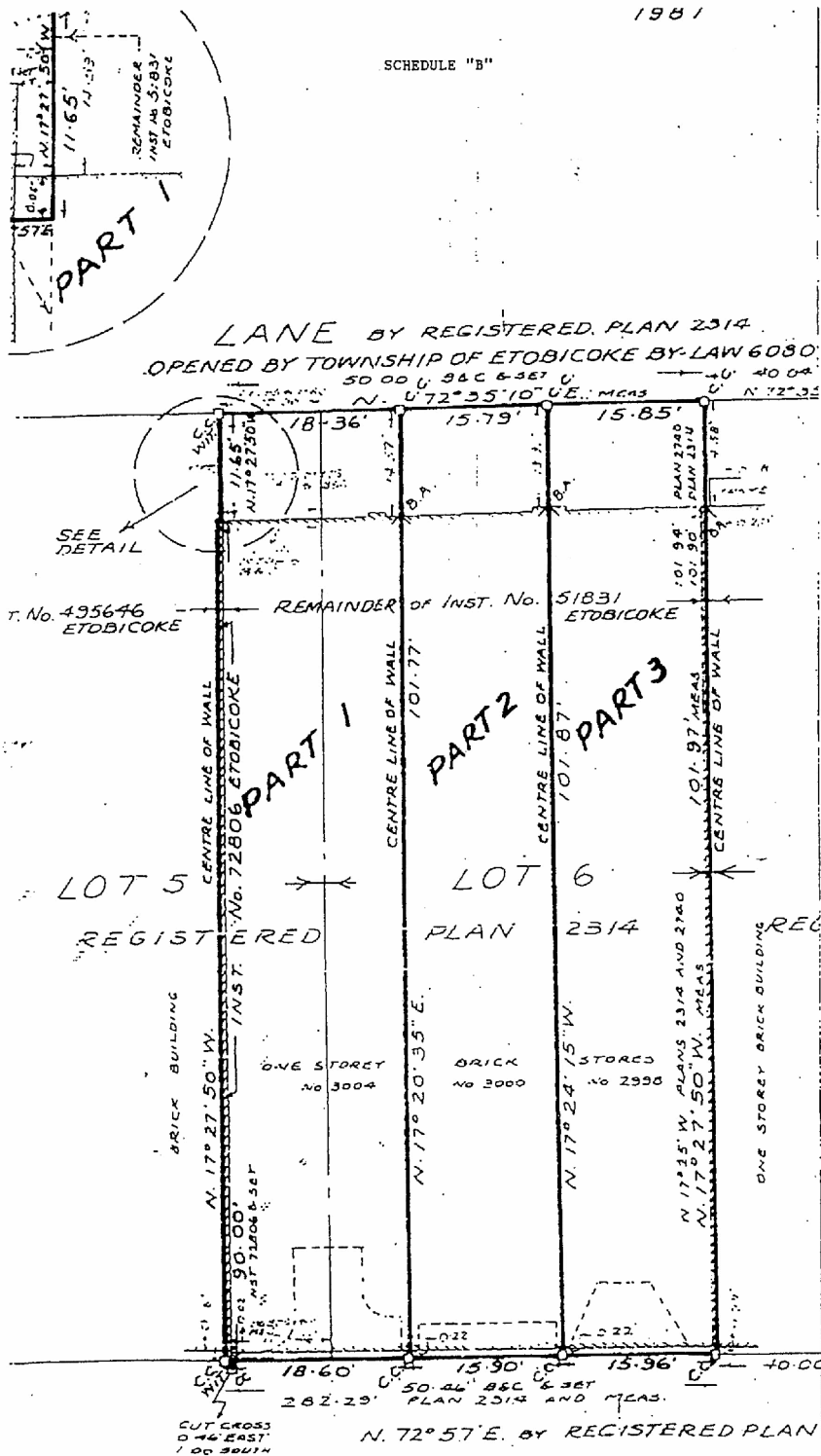
## **ATTACHMENTS**

Attachment 1: Site Survey

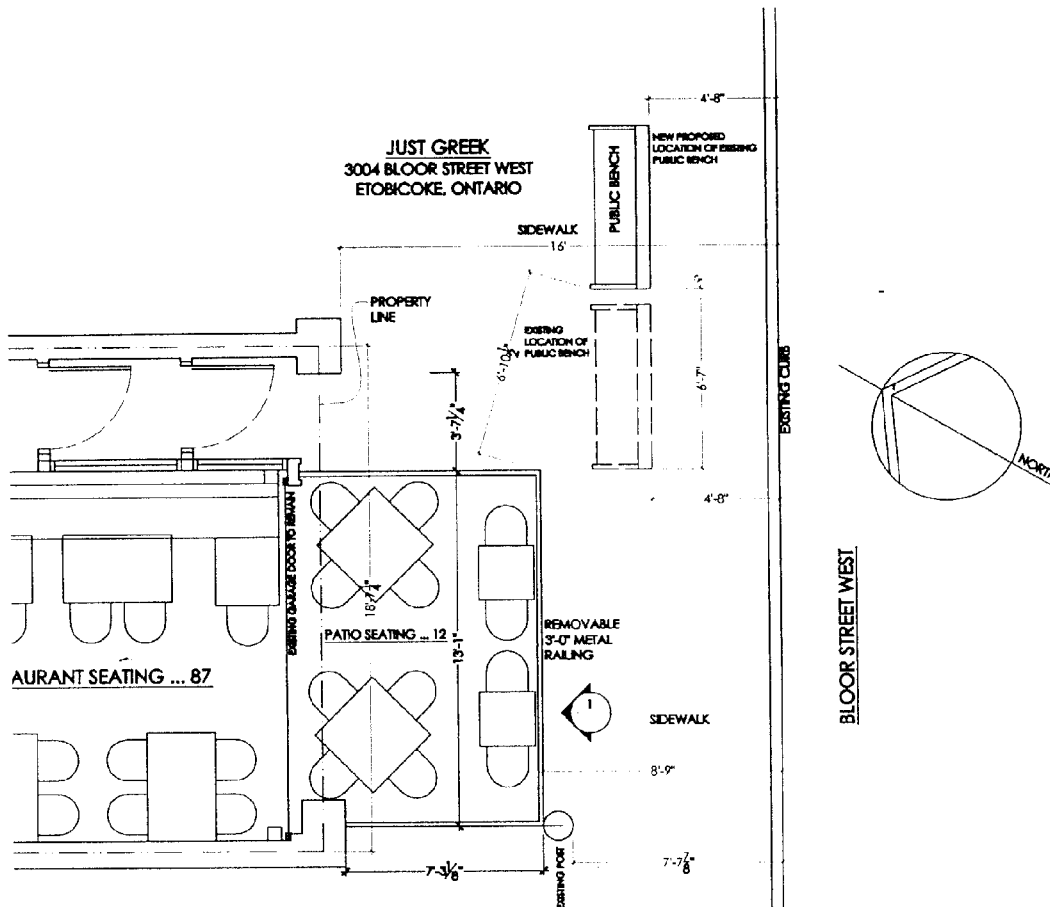
Attachment 2: Site Plan and Elevation of the Proposed Railing

Attachment 3: Photos showing the location of the proposed Outdoor Patio

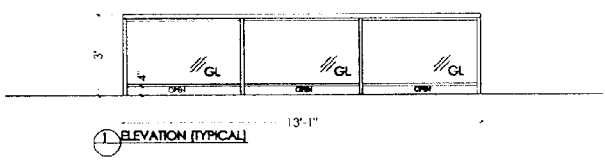
Attachment 4: Photos showing the existing Street Furniture on the Boulevard



**Attachment 1: Site Survey**



RAILING BY CANADIAN RAILING INNOVATION 1.888.360.3697  
 ETP GLASS PANEL RAIL SYSTEM  
 2 1/2" SQUARE METAL POSTS C/W CAP AND FLANGE FOR S/STEEL FINISH  
 & 1/2" SMOKED TEMPERED GLASS PANELS EDGED IN RUBBER GASKET  
 EACH POST W/ CAST BASE FLANGE TO BE ANCHORED TO SOUND CONCRETE  
 WITH A MIN. 2000 PSI STRENGTH, USING WEDGE-BOLT ANCHORS 1/2" DIA. X 3" LONG  
 CARBON STEEL ZINC PLATED BOLTS (FOUR BOLTS PER POST)  
 NOTE TO RAILING CONTRACTOR:  
 EXTERIOR RAILING TO BE REMOVABLE FOR WINTER. PROVIDE  
 SHOP DRAWINGS FOR LANDLORD'S APPROVAL



BONTON DESIGN  
 905.832.2258  
 BCIN: 31890  
 VERA VUJOVIC  
 BCIN: 23791  
 APRIL 11, 2008

**Attachment 2: Site Plan and Elevation of the Proposed Railing**



**Attachment 3: Photos showing the location of the proposed Outdoor Patio**



**Attachment 4: Photos showing the existing Street Furniture on the Boulevard**