

Main**Item: EY 18.53****Transfer of Outdoor Café Licence To New Operators
of 1370 St. Clair Avenue West****Moved by Councillor Palacio**

That the Etobicoke York Community Council approve the transfer to the new operator of the Outdoor Café of the Licence on the Harvie Avenue flankage at 1370 St. Clair Avenue West, only after the following conditions are satisfied:

1. the newly constructed wooden deck and associated furnishings within the Harvie Avenue boulevard be removed immediately;
2. the wooden storage enclosure located at the north end of the outdoor café adjacent to the laneway be removed immediately due to the unsafe condition as a result of the line of sight caused by the location of the storage enclosure;
3. no audio or video equipment be installed or put into operation without Municipal Licensing and Standards approval;

4. an application for the transfer of the outdoor patio permit be made prior to the operation of the outdoor patio. The application is to be made to Municipal Licensing and Standards for the encroachment agreement and permit. The application is to include a full set of scaled drawings for the café patio. The applicant is to pay all fees in connection with the application, including any future leasing fees;
5. a minimum unobstructed clear sidewalk width of 2 metres be maintained;
6. the outdoor café shall not operate until the licence is issued; and
7. Municipal Licensing and Standards staff facilitate the application, as soon as possible.

Date: July 7, 2008

Signature: