



STAFF REPORT ACTION REQUIRED

Outdoor Café Encroachment Agreement 946 Royal York Road (3014-3020 Bloor Street West)

Date:	March 29, 2010
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 5, Etobicoke-Lakeshore
Reference Number:	Municipal Licensing and Standards 09-140881 RAW

SUMMARY

This report is in response to an application submitted on behalf of 1795487 Ontario Inc., 946 Royal York Road, (3014-3020 Bloor Street West), to lease 41.4 square metres of the municipal road allowance to operate an Outdoor Café within the Royal York road allowance, 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 the Etobicoke York Community Council approve this application subject to the following conditions:

1. The owner is 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 owner to pay all fees associated with the preparation and execution of this agreement, and pay 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 change), 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 Outdoor Boulevard Café only be licensed for seasonal use, between the period of May 1st to October 31st and the patio furniture and fencing shall be removed from the municipal boulevard at the end of the season.
7. The owner is required to obtain a construction/streets permit and contact Bell Canada prior to the commencement of any construction because of close proximity of the proposed patio to their respective service underground.
8. Prior to the installation of any canopy structures, the applicant shall modify this Encroachment Agreement and obtain all necessary permits.
9. The owner shall operate the boulevard café in strict compliance with the requirements as stipulated under Toronto Municipal Code, Chapter 591, Noise.
10. The owner shall 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

Municipal Licensing and Standards has received an application on behalf of 1795487 Ontario Inc. to lease 41.4 square metres approximately (15.22 metres X 2.70 metres) within the Royal York road allowance to operate an Outdoor Café as per Attachments 1 and 2.

COMMENTS

The application was circulated to Transportation Services and various utilities with no negative comments being received.

CONTACT

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Municipal Licensing and Standards
Etobicoke York District
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SIGNATURE

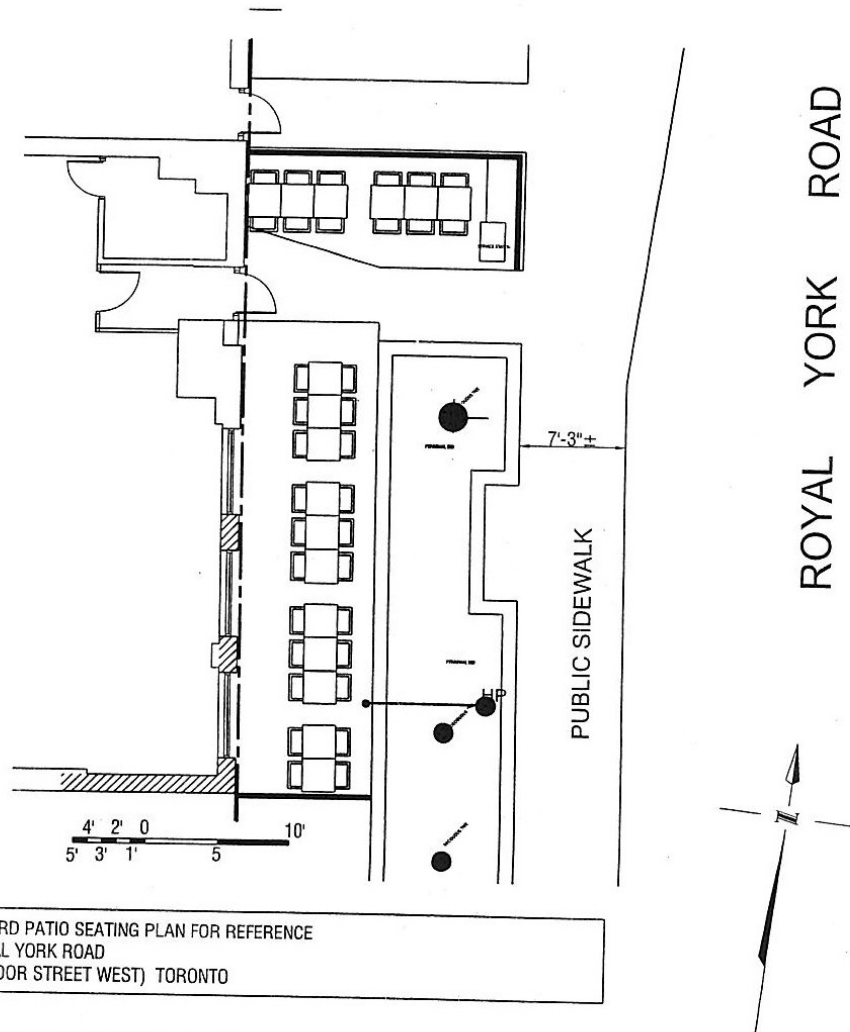
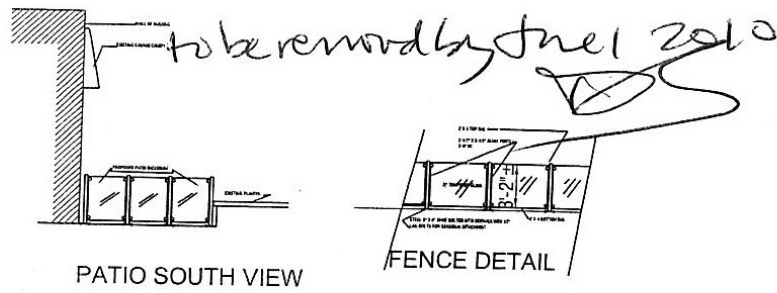
Curtis Sealock, District Manager

ATTACHMENTS

Attachment 1 – Site Plan

Attachment 2 – Guard Detail

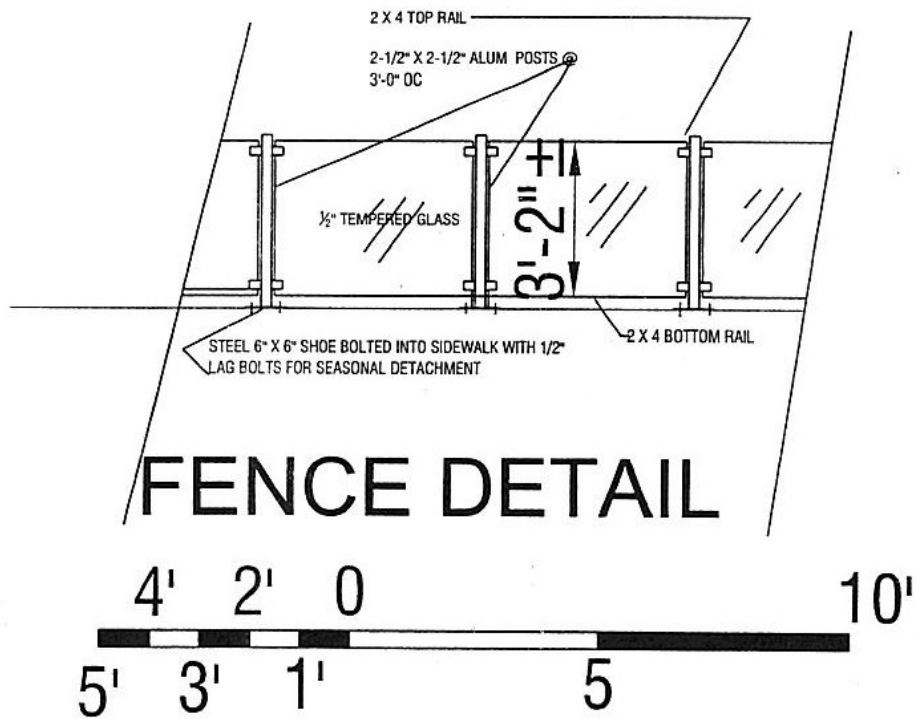
Site Plan



Axis Planning + Development Consultants Inc
1288 Bloor Street West Ste 203 Toronto M6H 1N9

Attachment 1

Guard Detail



Attachment 2