

**Request for an Encroachment Agreement -
23 Sonneck Square
(Ward 13 - Scarborough Bluffs)**

(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)

The Administration Committee recommends the adoption of the following report (October 6, 1999) from the Acting Commissioner of Corporate Services:

Purpose:

To seek authority for an encroachment agreement, to allow an existing wood fence and retaining wall at 23 Sonneck Square, which encroaches about twelve (12) inches onto Sonneck Square road allowance, to remain.

Funding:

Revenue of \$350.00 plus disbursements will be credited to Legal Services Division of the Corporate Services Department.

Recommendations:

It is recommended that:

- (1) the City enter into an encroachment agreement with the owner of 23 Sonneck Square, to permit an existing wood fence and retaining wall, to remain subject to the terms and conditions set out in the body of this report; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

History:

The property at 23 Sonneck Square is a single family dwelling on a corner lot measuring 55 feet by 115 feet. It is located south of Kingston Road and east of Markham Road in the former City of Scarborough.

The owner was notified by staff of Urban Planning and Development Services that the wood fence and retaining wall recently erected encroaches about 12 inches onto the Sonneck Square road allowance. The owner is seeking permission to authorise its continued presence through an encroachment agreement.

Comments:

The owner's request was circulated to all City departments, the local ward councillors and relevant outside agencies for comments. No objection to the proposed encroachment was received.

The encroachment is shown in heavy black line on Schedule "A" attached and if permitted to remain, will be subject to:

- (a) the owner providing proof of insurance satisfactory to the City's Manager of Risk and Insurance;
- (b) the owner agreeing to maintain the encroachment in good condition; and
- (c) the owner paying the standard \$350.00 administration fee plus disbursements and G.S.T. for the encroachment agreement.

The encroachment policy of the former City of Scarborough considered minor encroachment of structures such as garages, eavestroughs, steps, retaining walls, etc., to be "Specific Encroachments", and subject to a one time administrative charge of \$350.00.

Conclusion:

Sonneck Square is a lightly travelled sub-arterial road within a low-density residential neighbourhood. The existing wood foundation wall and fence encroachment is minor in nature. It poses no obstruction to pedestrian traffic. Approval of the encroachment agreement will relieve the costly expense otherwise required of the owner to rectify the irregularity.

Contact Name:

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(A copy of Schedule "A" attached to the foregoing report was forwarded to all Members of Council with the November 2, 1999, agenda of the Administration Committee and a copy thereof is also on file in the office of the City Clerk.)