

Encroachment Agreement - North York General Hospital - Leslie Street and Highway 401 (UDSP-98-149) - Seneca Heights

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

The North York Community Council recommends the adoption of the following report (October 20, 1999) from the Director, Engineering Services, Districts 3 and 4, subject to the North York General Hospital undertaking the necessary work to legalize all existing encroachments, including the provision of the required drawings and the payment of the necessary permit fees.

The North York Community Council submits the following report (October 20, 1999) from the Director, Engineering Services, Districts 3 and 4:

Purpose:

The purpose of this report is to consider a request from North York General Hospital for granting encroachments onto a City sewer easement on hospital property.

Financial Implications and Impact Statement:

N/A

Recommendations:

- (1) it is recommended that the request of the North York General Hospital for granting existing and proposed encroachments be approved by the City subject to the following conditions:
 - (i) the owner (hospital) enter into an agreement with the City with terms and conditions to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor; and
 - (ii) the owner (hospital) deposit a letter of credit in the amount of \$55,000.00 for the protection of the existing sanitary sewer; and
- (2) the appropriate City officials be authorized to do all things necessary to implement Council's directions.

Background:

North General Hospital has submitted Site Plan Application SPC-98-149 for the expansion of the parking garage near the East Don River. In order to meet the stormwater management requirements of the Toronto Region Conservation Authority, North York General Hospital is required to develop and construct a stormwater quality pond into which all stormwater from the hospital site is to flow. There is an existing sanitary sewer easement registered as Instrument No. NY771318 in the favour of the former City of North York. The proposed storm sewer servicing the North York General site that will carry storm water to the quality pond, will be located within this former City of North York easement. A review of the servicing drawings submitted by the Hospital's Consulting

Engineers has revealed that there are other North York General Hospital services that are encroaching upon this sanitary sewer easement. No approvals were obtained by the hospital for these encroachments.

The encroachments onto the sanitary sewer easement consist of the following:

- (a) proposed 600mm diameter storm sewer
- (b) 2 existing 200mm diameter watermains
2 existing double catchbasins
2 existing 150mm catchbasin leads
2 existing 210mm catchbasin leads
2 existing 100mm catchbasin leads
Gas services
Hydro ducts
1 storm manhole

As a condition of the proposed encroachment, the City has required that North York General Hospital provide a letter of credit in the amount of \$55,000 as a security against any damage that may be caused to the existing sanitary sewer due to the storm sewer construction, for a period of two years from the satisfactory completion of construction. In addition, the City will arrange to have the sanitary sewer inspected before and after the storm sewer construction work. The hospital will be responsible for the cost of the City's videotape inspections, as well as for rectifying any damage to the City sewer.

The former City of North York policy allows for encroachments on City easements subject to certain conditions which are as follows:

- (a) that all encroachments be subject to a legal agreement being entered into between the City and the Owner of the property;
- (b) that such agreement be to the satisfaction of the City Solicitor and the Commissioner of Works & Emergency Services and be registered on the title of the property;
- (c) that a suitable survey drawing prepared by an Ontario Land Surveyor be provided by the owner, showing the location of the encroachments, its dimensions and areas, and any significant features pertinent to the encroachment, that such drawing be satisfactory to the Commissioner of Works & Emergency Services, and to be attached to and form part of the agreement; and
- (d) that the owner pay a one-time administrative fee of \$150.00 to the Department of Works and Emergency Services and a one-time administrative fee of \$250.00 to the Legal Department.

Conclusions:

The proposed storm sewer is required for the drainage of the North York General Hospital as part of the stormwater quality requirements as set out by the Toronto Regional Conservation Authority. The location of the proposed storm sewer on the former City of North York easement is the only practical location for this sewer. As the proposed storm sewer is near the City sanitary sewer, the

City will require the Hospital to put up a letter of credit in the amount of \$55,000.00 as security against any damage to the existing sanitary sewer for a period of two years from the satisfactory completion of construction. The City will also arrange for video tape inspections of the sanitary sewer before and after the construction of the proposed storm sewer within the City easement. The Hospital will be responsible for the cost of videotape inspections, as well as for rectifying any damage to the City sewer.

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