

TORONTO STAFF REPORT

October 31, 2005

To: Toronto and East York Community Council

From: Manager, Right of Way Management, Transportation Services
Toronto and East York District

Subject: Installation of an Illuminated Tiger Decoration – Traffic Island at the Northwest Corner of the Intersection of Bloor Street West and Christie Street
(Trinity-Spadina - Ward 19)

Purpose:

To report on a request to install an illuminated tiger decoration on the traffic island at the northwest corner of the intersection of Bloor Street West and Christie Street. As the former City of Toronto Municipal Code does not make provisions for these types of encroachments, we are required to report on this matter.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council approve the installation of an illuminated tiger decoration on the traffic island at the northwest corner of the intersection of Bloor Street West and Christie Street, subject to the Korea Town BIA entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than \$2,000,000.00 or such greater amount as the Deputy City Manager and Chief Financial Officer may require;

- (b) maintain the illuminated tiger decoration at their own expense in good repair and a condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (c) pay for the costs of preparing the Agreement and the registration of the Agreement on title; and
- (d) accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the Corporation; and

(2) Legal Services be requested to prepare and execute the Encroachment Agreement.

Comments:

An application has been submitted requesting permission to construct an illuminated tiger decoration at the northwest corner of the intersection of Bloor Street West and Christie Street. The installation will be a hollow frame sculpture composed of 0.25 inch thick aluminums, covered with a combination of white and amber lights. It weighs approximately 300 pounds and sandbags or concrete blocks will be used for protection. A copy of the property data map is shown on Appendix 'A'.

The proposed encroachment will sit on a frame box, raised 0.46 m off of the ground. The illuminated tiger decoration is 2.0 m high, 2.75 m wide and 5.1 m long. Photo of the proposal is shown on Appendix 'B'.

The use of the tiger is related to the tradition and culture of the Korean people. The tiger commands dignity and sternness, courage and fierceness. Tigers are seen as brave, dignified, cruel and greedy on one hand, but are also respected as a symbol of good luck and protection from disease.

Although all clearances from the different City of Toronto departments have not been received, we are recommending that approval be given in principle to allow for the construction of the illuminated tiger decoration within the public right of way of Bloor Street West and Christie Street, subject to any requirements by the affected departments, and together with any approvals of the General Manager of Transportation Services or the City Solicitor.

As there are no provisions in Chapter 313 of the former City of Toronto Municipal Code, Streets and Sidewalk, to permit such installations, we are required to report on this matter.

Details of this proposal are on file with this Department.

Conclusions:

As the illuminated tiger decoration will not impact negatively on the public right of way, the installation should be permitted, subject to the property owner entering into an encroachment agreement to be registered on title of the property.

Contact:

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List of Attachments:

Attachment No. 1 - Appendix 'A' - property data map
Attachment No. 2 - Appendix 'B' - proposed tiger decoration