

Consolidated Clause in Etobicoke York Community Council Report 3, which was considered by City Council on April 25, 26 and 27, 2006.

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**Encroachment Application - 930 St. Clair Avenue West
(Ward 17 - Davenport)**

City Council on April 25, 26 and 27, 2006, adopted this Clause without amendment.

The Etobicoke York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (January 25, 2006) from the District Manager, Municipal Licensing and Standards, Etobicoke York District.

Purpose:

To report on an encroachment application submitted by Mr. Victor Hipolito, of Ambient Designs Limited on behalf of the property owner for encroachments on the city road allowance including (a) construction of an entrance to the basement level at the eastern flankage and (b) the existing encroaching roof overhang.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) the application be approved subject to a formal agreement document being completed in conjunction with Legal Services and forwarded to the Applicant/Owners for signature;
- (2) the signed agreement is 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 City may require, and naming the City of Toronto as an additional insured party under the policy;
- (3) the Certificate of Insurance is to be renewed on an annual basis. The Encroachment may be subject to an annual fee in the future;
- (4) the property owner agrees to maintain the subject construction as well as the roof overhang including the roof drainage installations in a state of good repair at all times;

- (5) prior to any construction, the applicant shall obtain a permit, from Works & Emergency Services, for the construction work, within the road allowance; and
- (6) the applicant shall, prior to construction, obtain any Building Permits for stairs, retaining walls, guards, fire separations, plumbing and drainage, HVAC, basement renovations, change in occupancy and of any effected work related to the Ontario Building Code.

Background:

The property is a three storey brick building located on a corner lot bounded by St. Clair Avenue West to the south and Robina Avenue to the East, and is situated in the former City of Toronto. (Attachment No. 1)

The stairway access to the basement portion measures 2.43 metres by 14.16 metres. The use of the proposed stairway is to provide access to a proposed commercial use of the basement. The stairway construction is shown in the attached drawings. The proposed area of encroachment for the stairway including the footings is 34.14 square metres. (Attachment Nos. 2, 3 and 4)

The encroachment application involves the existing roof overhang which is projecting onto the City Road Allowance and runs along the St. Clair Avenue frontage and the Robina Avenue flankage. The St. Clair Avenue frontage overhang measures 0.40 metres deep by 6.10 metres long. The Robina Avenue flankage measures 0.40 metres deep by 27.38 metres long. The encroachment area of the roof overhang is 13.84 square metres. (Attachment No. 1)

Comments:

The roof overhang is existing and requires an encroachment agreement.

The Application Plans were circulated to Works and Emergency Services, Toronto Fire Services, Building Division and various utilities companies. Comments received from the Departments and Agencies have been considered in our recommendations.

Conclusion:

It is recommended that the application be approved subject to the fulfilment of the conditions outlined in this report.

Contact:

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(Attachments 1 to 4, referred to in this report, were forwarded to all Members of the Etobicoke York Community Council with the agenda for its meeting on April 4, 2006, and copies are on file in the City Clerk's Office, Etobicoke Civic Centre.)

(Councillor Mammoliti declared an interest in this matter, in that his spouse owns property in the area.)

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Councillor Mammoliti declared an interest in this Clause, in that his spouse owns land in the subject area.