

**Application for Encroachment Agreements  
2606 & 2608 St Clair Avenue West  
653 & 655 Jane Street  
Development at the north east corner of St. Clair Ave. West and Jane Street**

<b>Date:</b>	April 17, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 11, York South-Weston
<b>Reference Number:</b>	ML&S Folder No. 05-164362 RAW, 06-161104 RAW & 06-161111 RAW

## **SUMMARY**

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To report on an application for Encroachment Agreements submitted by the Architect, Mr. Victor Rosa, on behalf of the owner as part of a development of four single family dwellings located respectively at 2606, 2608 St. Clair Avenue West and 653, 655 Jane Street, for encroachments onto the road allowance.

The applicant is requesting permission for the encroachment of concrete stairs and retaining walls within the road allowance at the north east corner of St. Clair Avenue West and Jane Street in the connection with this development.

City Council on February 5, 6, and 8, 2007, referred this Item to the Executive Director, Municipal Licensing and Standards with a request that the Application for the Encroachment Agreement be sent out for further circulation, including the Toronto Transit Commission, and comment back to the Etobicoke York Community Council. This report is about a matter for which the Community Council has delegated authority from Council to make a final decision.

## **RECOMMENDATIONS**

**Municipal Licensing and Standards recommend that Etobicoke York Community Council approve the application subject to:**

1. the City Solicitor be authorized to prepare an Encroachment Agreement for the proposed encroachments on the St. Clair Avenue and Jane Street road allowances;
2. the applicant pay all fees associated with the preparation of these agreements;
3. the signed agreement is 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;
4. 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 encroachments;
5. the owner obtain a construction/streets occupation permit prior to the commencement of any construction;
6. plans are to be reviewed and approved by Toronto Building Division prior to construction;
7. the property owner agrees to maintain the subject property in good repair and comply at all times with the regulations set out in the former City of Toronto Municipal Code, Chapter 313, Streets;
8. the property owner is required to pay an annual fee to the City of Toronto for use of the road allowance in the amount of \$25.00 plus \$5.50 per square metre, plus GST. All fees are subject to change.

## **FINANCIAL IMPACT**

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

## **ISSUE BACKGROUND**

This Item was heard before City Council on February 5, 6 and 8, 2007, "Etobicoke York Community Council, Meeting No. 2, Item EY2.28". "City Council on February 5, 6 and 8, 2007, referred this item to the Executive Director, Municipal Licensing and Standards with a request that the Application for the Encroachment Agreement be sent out for

further circulation, including the Toronto Transit Commission, and comment back to the Etobicoke York Community Council”.

The parcel of land at the north east corner of St. Clair Avenue West and Jane Street is being developed into two semi-detached single family dwellings, one pair will be located on St. Clair Avenue West (municipally known as 2606 and 2608 St Clair Avenue West) and the second on Jane Street (municipally known as 653 and 655 Jane Street) – Attachments 1 & 2. The applicant is proposing to build concrete stairs and retaining wall to facilitate access for pedestrians and vehicle parking – Attachment 3.

## **COMMENTS**

This application has been circulated for comment to Transportation Services, Urban Forestry Services, Toronto Fire Services and various utility companies, with no negative responses being received.

On March 12, 2007, this application was circulated to Toronto Transit Commission for comment. On March 19, 2007 the Toronto Transit Commission forwarded the following comments, “I would advise that we have no concerns with the subject application.” “The applicant has shown a southerly relocation of the transit shelter, which is located just north of the current northbound bus stop. The location proposed by the applicant is satisfactory to TTC; however, the final say regarding the shelter must come from Donald Pardoe of West District. The applicant will be responsible for any costs associated with the shelter relocation”.

## **CONTACT**

Curtis Sealock, District Manager  
Etobicoke York District  
Municipal Licensing and Standards  
Tel: 416-394-2532 Fax: 416-394-2904  
E-mail: [csealock@toronto.ca](mailto:csealock@toronto.ca)

## **SIGNATURE**

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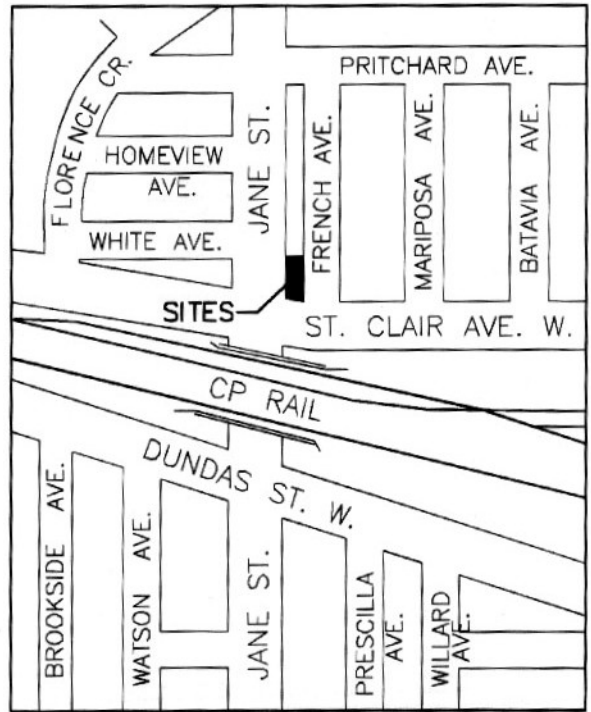
Curtis Sealock, District Manager  
Etobicoke York District  
Municipal Licensing and Standards

## **ATTACHMENTS**

Attachment 1: Location Plan

Attachment 2: Site Plan

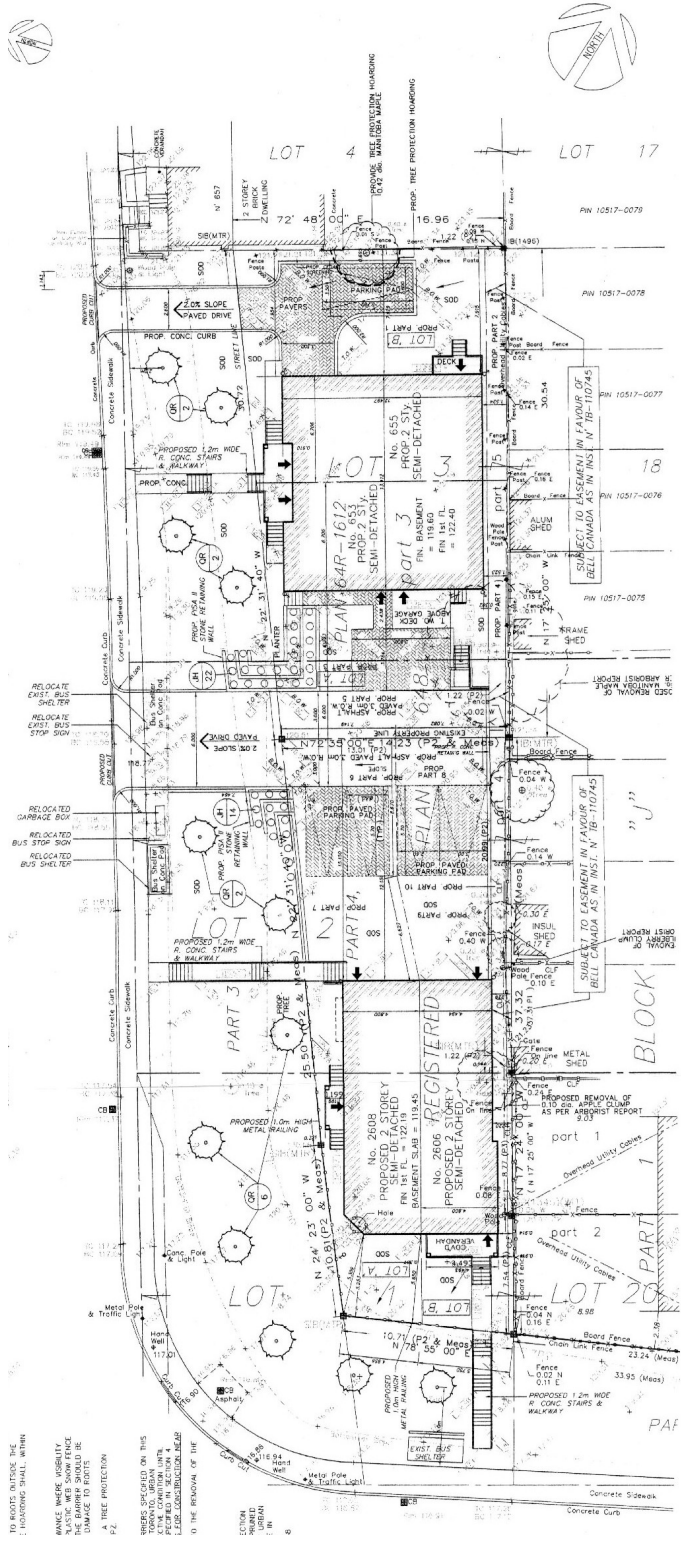
Attachment 3: Stair Detail & Retaining Wall Detail

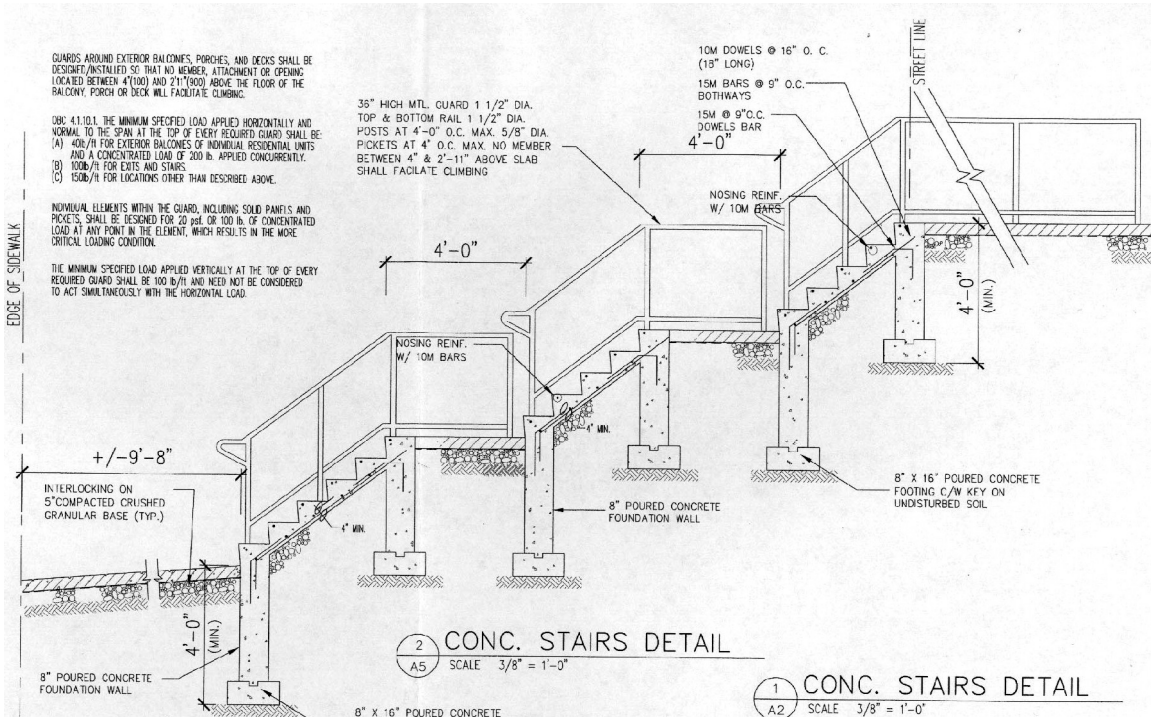


**KEY PLAN**  
NTS

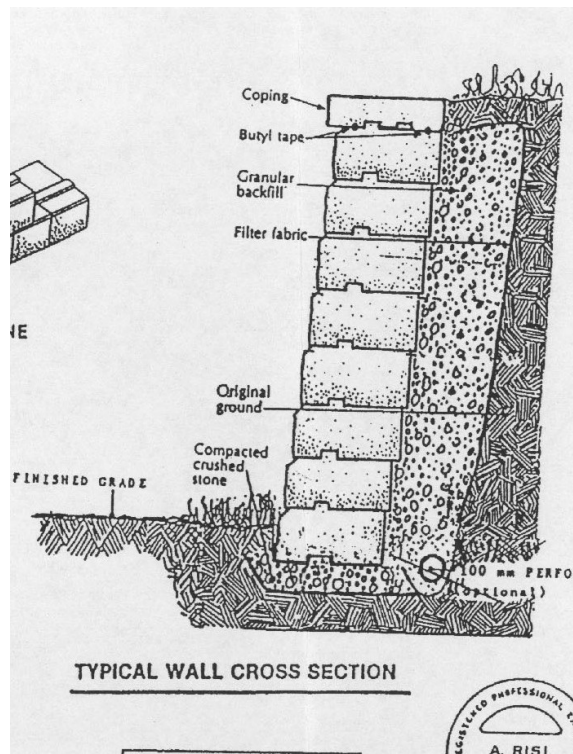


**Attachment 1: Location Plan**





Stair Detail



Attachment 3: Retaining Wall Detail