



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 6 Windermere Avenue, Unit 40

<b>Date:</b>	August 23, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 13, Parkdale Highpark
<b>Reference Number:</b>	Folder Number: 07 222732 RAW 00 IR

#### **SUMMARY**

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To report on an encroachment application, submitted by the applicant to maintain an existing encroachment.

The encroachment involves an existing concrete stair and handrail, leading to the building entrance, projecting into The Queensway road allowance.

The Etobicoke York Community Council has delegated authority from City Council to make a final decision in the matter.

#### **RECOMMENDATIONS**

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**Municipal Licensing and Standards recommends that the Etobicoke York Community Council approve the application for the existing encroachment within The Queensway road allowance, subject to the owner fulfilling the following conditions:**

1. the City Solicitor to be authorized to prepare an Encroachment Agreement for the existing and proposed encroachments;
2. the owner to return the signed agreement to the City of Toronto. A Certificate of Insurance, evidencing a third party bodily and property damage insurance in the

amount of \$2,000,000.00, and naming the City of Toronto as an additional insured party under the policy, has been provided;

3. to renew the said Certificate of Insurance and submit a copy thereof to Municipal Licensing and Standards on an annual basis for the life of the encroachments;
4. to repair and maintain the concrete stair and handrail encroachment in good condition, at all times, Attachments 2, 3, 4, 6 and 7; and
5. to comply at all times with the regulations set out in the former Chapter 313 of the Former City of Toronto Municipal Code, Streets and Sidewalks, as amended.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

The property is located at the northeast corner of Windermere Avenue and The Queensway, Attachment 1.

The stair and handrail is part of a combined access for 2 townhouses at 6 Windermere Avenue, units 40 and 41 and is encroaching approximately 0.18 of a metre by 1.09 metres onto The Queensway road allowance, Attachments 1, 2, 3, 4, 5, 6 and 7;

### **COMMENTS**

This application will permit the owner to maintain the existing and proposed encroachments, subject to entering into an Encroachment Agreement the City of Toronto.

This application was circulated to Transportation Services, Toronto Fire Services and various utility companies for comments, with no negative responses being received.

### **CONTACT**

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## **SIGNATURE**

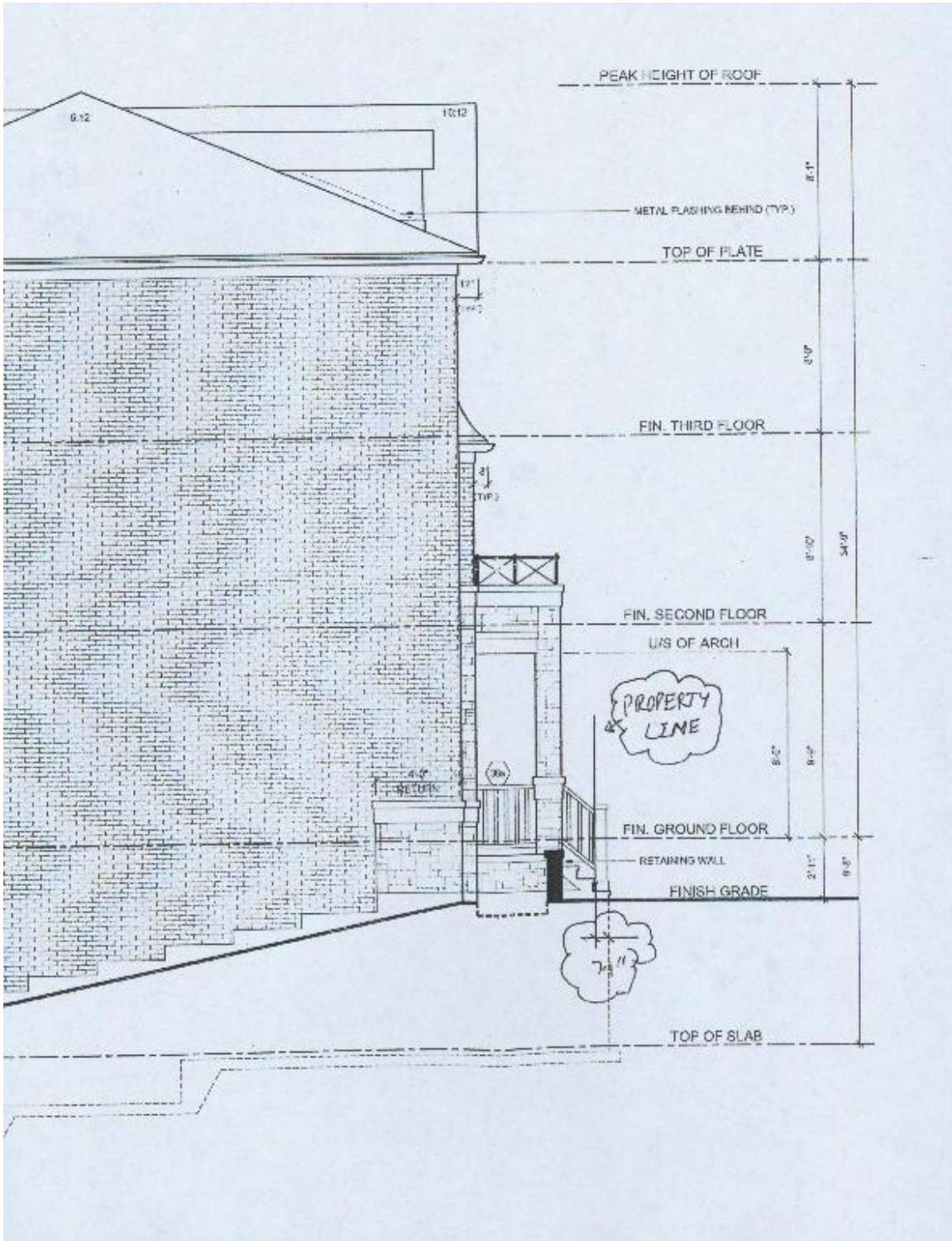
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Curtis Sealock, District Manager  
Etobicoke York District  
Municipal Licensing and Standards

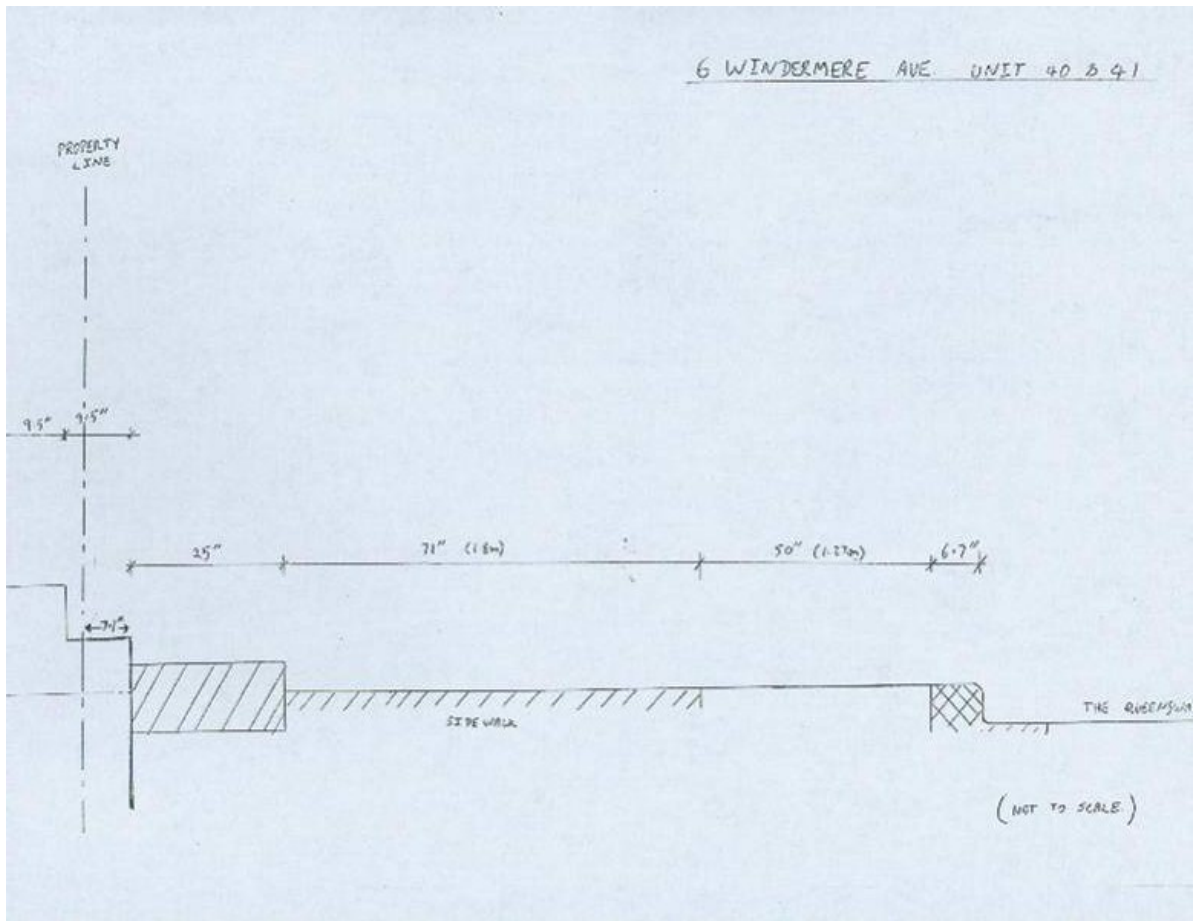
## **ATTACHMENTS**

- Attachment 1: Plot Plan
- Attachment 2: Side Elevation Plan showing the encroaching step and handrail
- Attachment 3: Cross section showing the step
- Attachment 4: Front entrance plan
- Attachment 5: Photograph showing the front entrance step and handrail
- Attachment 6: Photograph showing the front entrance step and handrail

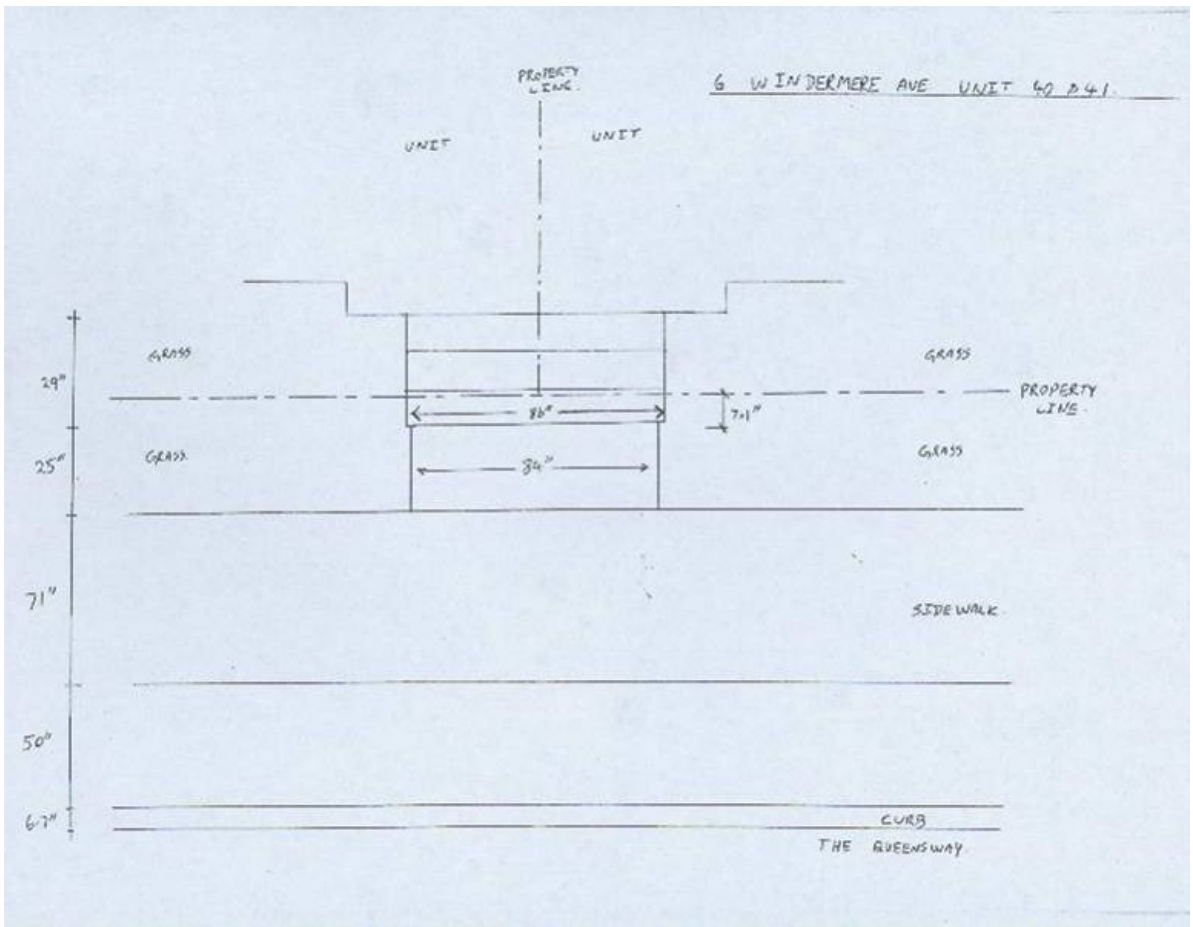




**Attachment 2: Side Elevation Plan showing the encroaching step and handrail**



**Attachment 3: Cross section showing the step**



**Attachment 4: Front entrance Plan**



**Attachment 5: Photograph showing the front entrance step and handrail**





**Attachment 6: Photograph showing the front entrance step and handrail**