



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 6 Windermere Avenue, Unit 41

Date:	August 23, 2007
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 13, Parkdale Highpark
Reference Number:	Folder Number: 07 222738 RAW 00 IR

SUMMARY

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

Municipal Licensing and Standards recommends that the Etobicoke York Community Council approve the application for the existing encroachment on The Queensway boulevard 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

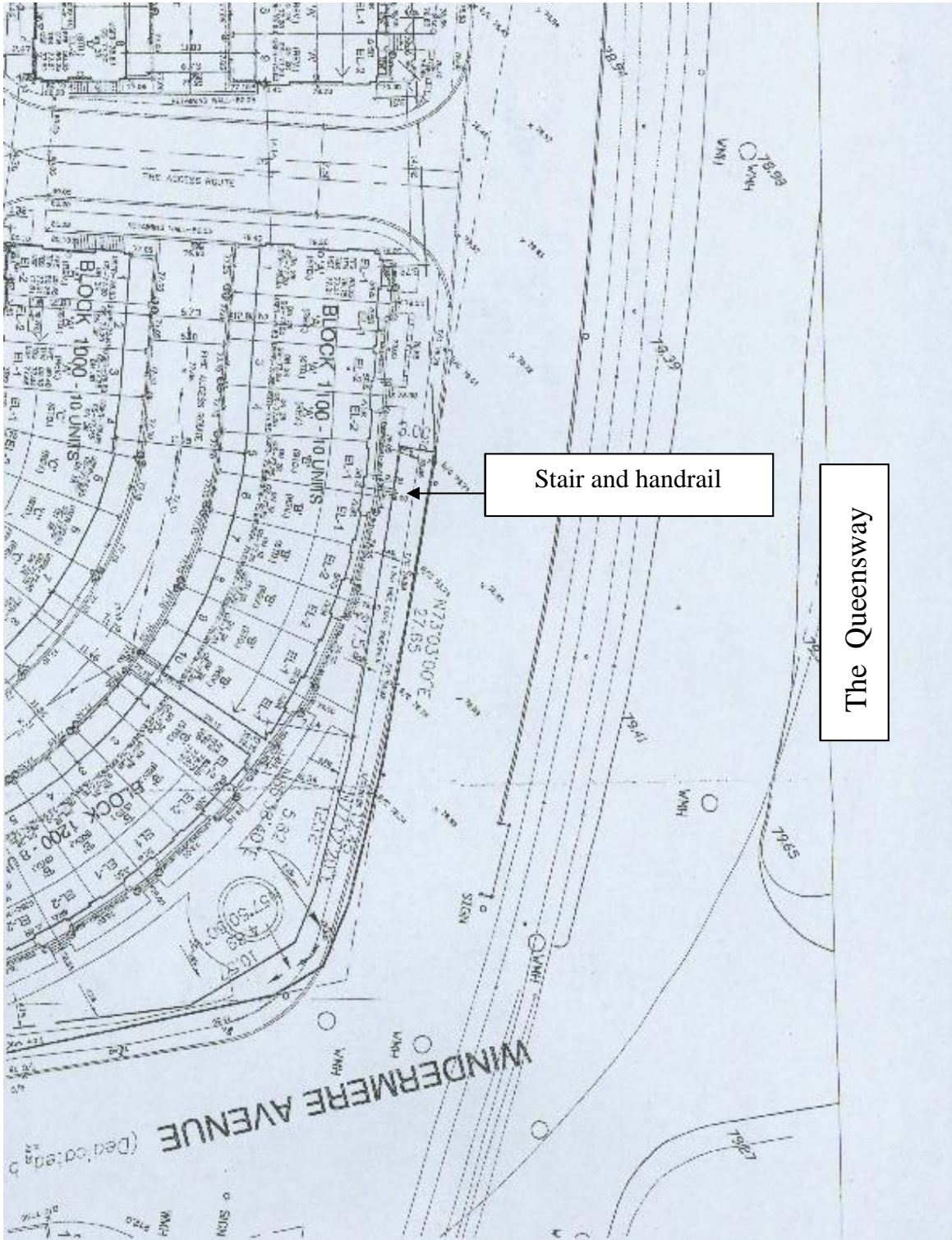
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SIGNATURE

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

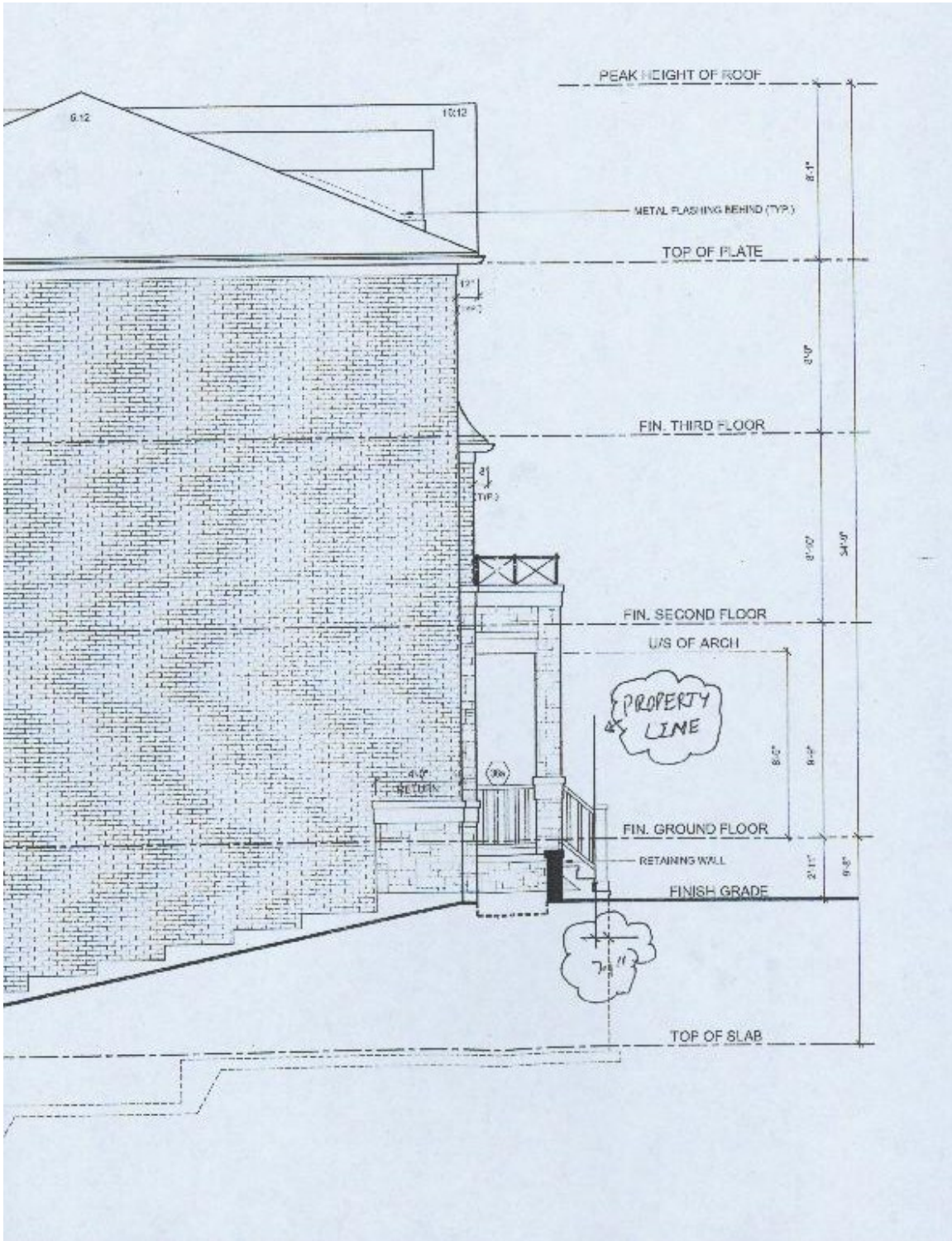
ATTACHMENTS

- 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



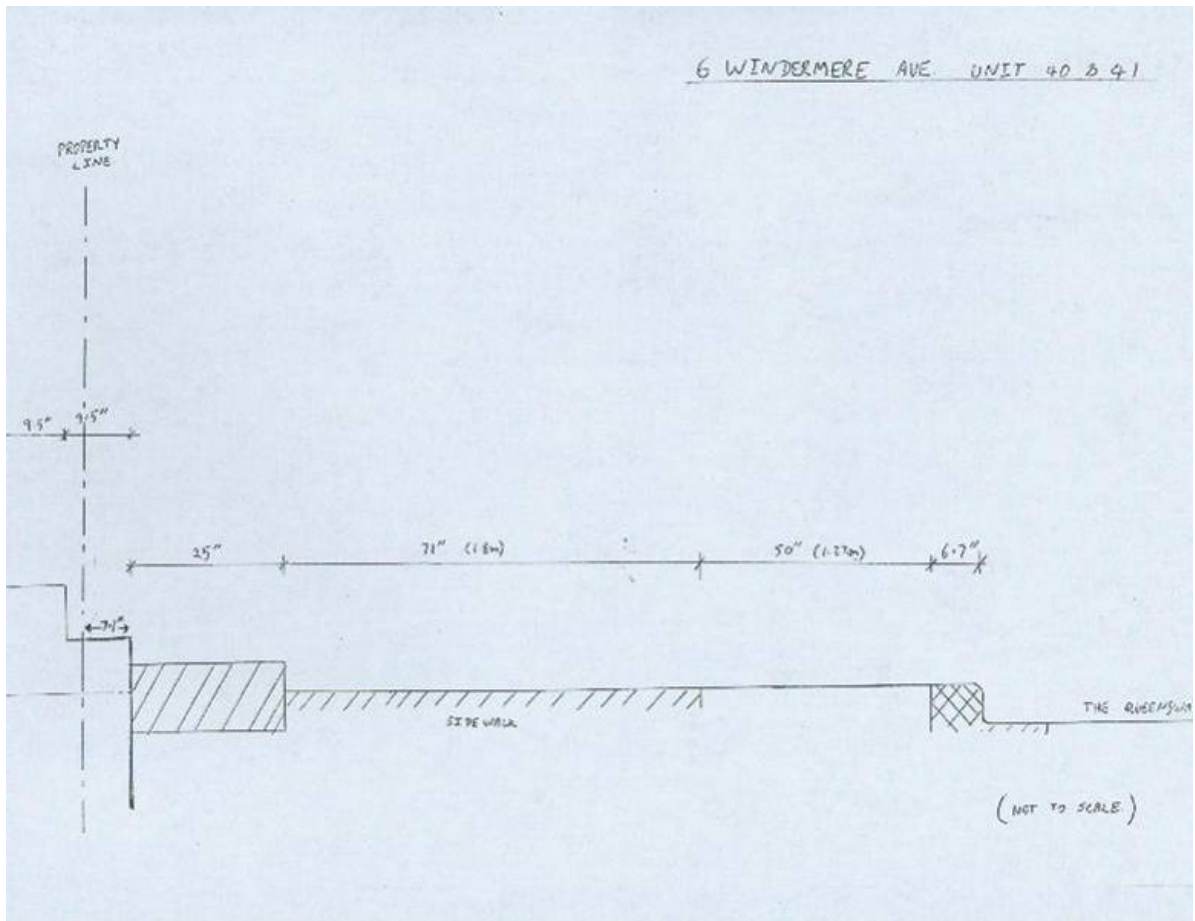
Attachment 1: Plot Plan

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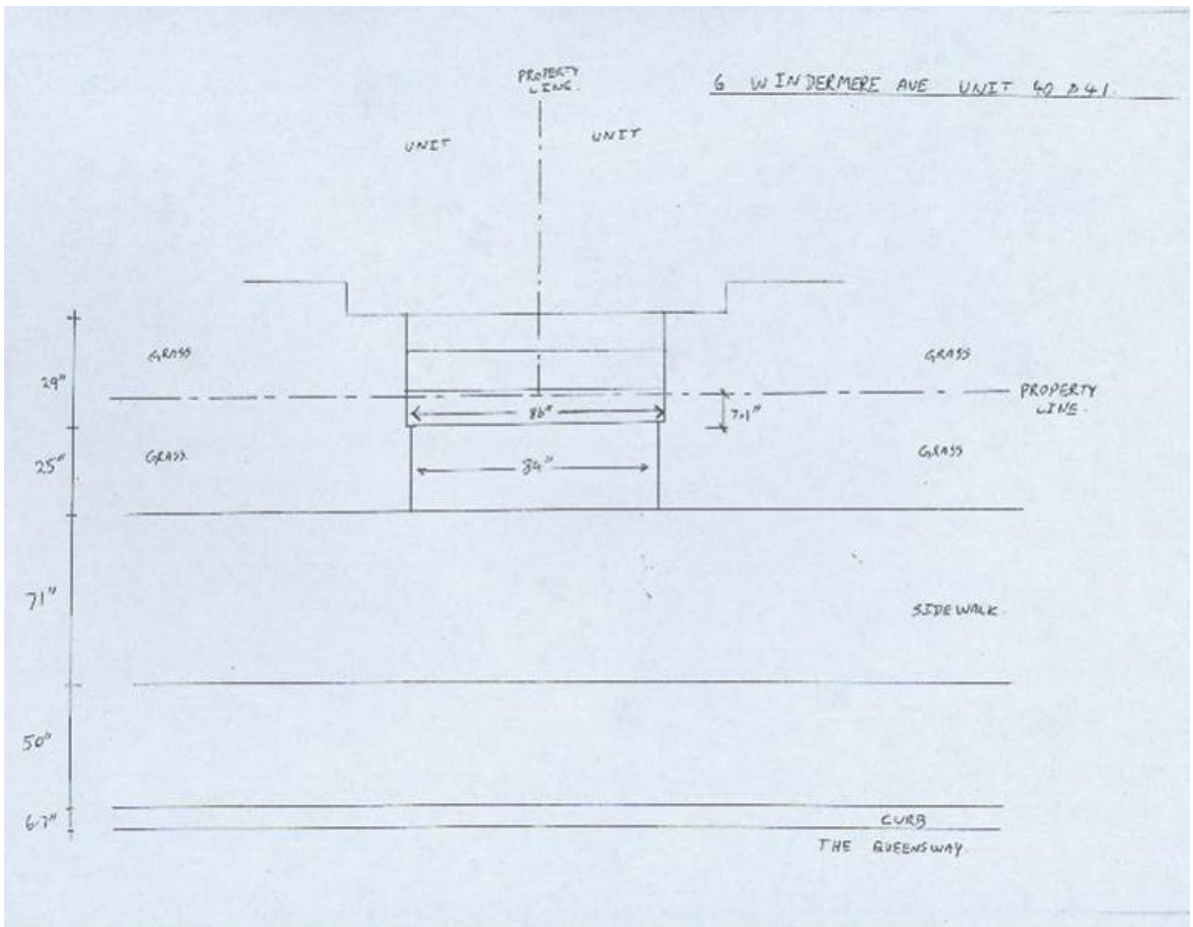


Attachment 2: Side Elevation Plan showing the encroaching step and handrail

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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