



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement – 196 Boon Avenue

<b>Date:</b>	September 12, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 17 - Davenport
<b>Reference Number:</b>	ML&S Folder Number 07 242358 RAW

#### SUMMARY

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To report on an application submitted by Ambient Designs Limited, on behalf of the owners of 196 Boon Avenue to lease an area of approximately 17.06 square metres of the municipal boulevard for the construction of a walkway with concrete curb, steps and wrought iron fence adjacent to the City sidewalk, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

#### RECOMMENDATIONS

**Municipal Licensing and Standards recommend that the Etobicoke York Community Council approve the application for the Encroachment Agreement to lease 17.06 square metres of the municipal boulevard as indicated on Attachments 1 and 2 be approved in accordance with the former City of Toronto, By-law 313, Streets and Sidewalks, as amended, subject to the applicant fulfilling the following conditions:**

1. the city solicitor be authorized to prepare an encroachment agreement for the proposed encroachment;
2. the applicant be required to pay an annual fee should the by-law be amended to require payment of fees in the future;
3. comply at all times with regulations set out in the former City of Toronto, By-law 313, Streets and Sidewalk, as amended;

4. the signed agreement 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 Two Million Dollars (\$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;
5. the said Certificate of Insurance to be renewed and a copy thereof submitted to Municipal Licensing and Standards on an annual basis for the life of the encroachments; and
6. the applicant shall obtain construction/street occupation permits on an as needed basis prior to the commencement of any construction.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

An application has been submitted by Ambient Designs Limited on behalf to the owners of the property to construct a new walkway, with concrete curb and wrought iron fence adjacent to the City sidewalk.

### **COMMENTS**

This application was circulated to Transportation Services, Toronto Fire Services and various Utilities with the following comments being received from Transportation Services:

1. The metal fence shall not exceed the maximum height of 1.0 metre above the public sidewalk; and
2. a minimum clearance from the back edge of the sidewalk to the fence, step and concrete curb shall be 0.46 of a metre.

### **CONTACT**

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Municipal Licensing and Standards  
Etobicoke York District  
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## **SIGNATURE**

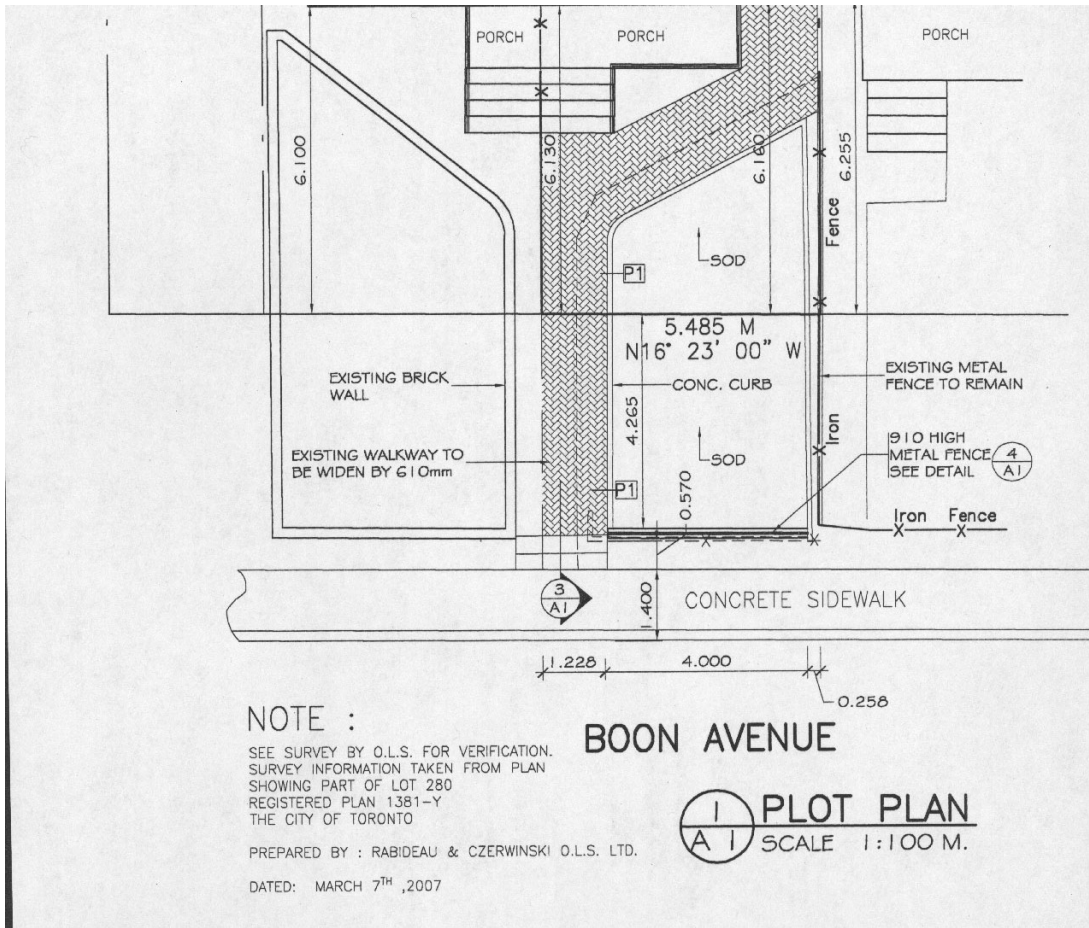
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Curtis Sealock, District Manager

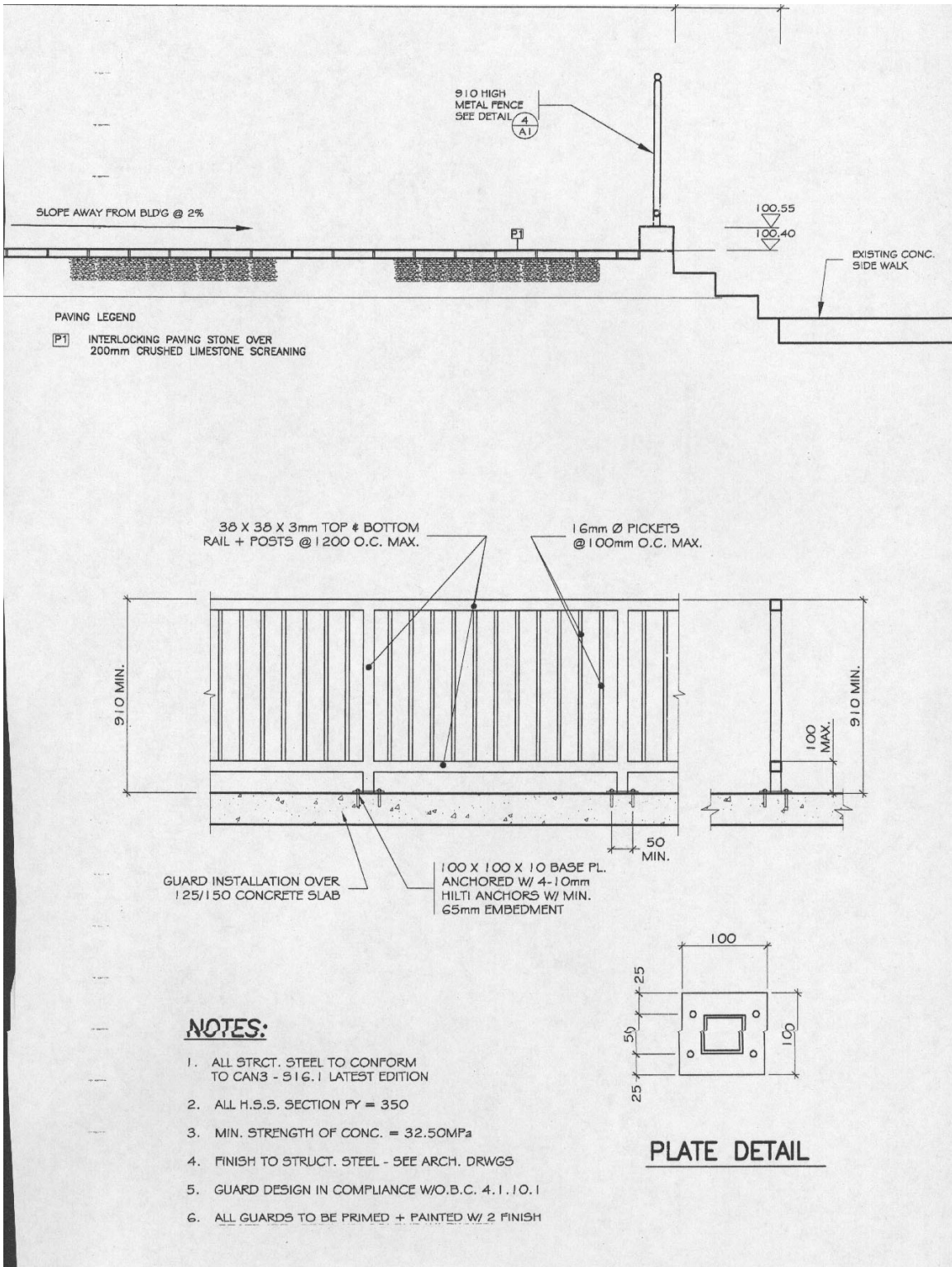
## **ATTACHMENTS**

Attachment 1 – Site plan

Attachment 2 – Proposed construction detail



**Attachment 1 - Site Plan**



## Attachment 2 - Proposed Construction Detail