



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 330 Geary Avenue

<b>Date:</b>	September 14, 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>	Folder Number 07 238396 RAW 00 IR

### SUMMARY

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This Staff Report is in response to an application submitted by the property owner(s), to maintain doors that swing onto the public road allowance when opened and a set of pre-cast concrete steps all within the Geary Avenue municipal road allowance, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

### RECOMMENDATIONS

**The Municipal Licensing and Standards recommends that the Etobicoke York Community Council approves the application, and the City Solicitor be authorized to prepare an Encroachment Agreement for the proposed encroachments, including the 5 door swings and the pre-cast concrete steps all within the Geary Avenue road allowance, subject to the following conditions, for which the property owner is held responsible:**

1. to pay the City of Toronto all fees associated with the preparation of this agreement, and, if an annual fee (subject to change) is charged in future for the use of the road allowance;
2. to return the signed agreement to the City along with the required Certificate of Insurance, evidencing a third party bodily 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;

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 maintain the encroaching door swings and pre-cast concrete steps in a state of good repair to avoid any loss, damage and injury arising from the use thereof;
5. to comply with all regulations set out in Chapter 313 of the Toronto Municipal Code, Streets and Sidewalks; and
6. the owner to obtain all necessary construction/streets occupation permit(s) for any work on the road allowance.

## **FINANCIAL IMPACT**

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

## **ISSUE BACKGROUND**

The property is a two-storey commercial building. The owner's of the property are seeking to maintain two (2) existing encroachments within the road allowance of the south elevation of the building:

- 1) Five doors which swing onto the road allowance when opened, with an encroaching area of 0.26 square metres for each of the five doors, attachments 1, 2 and 4.
- 2) One set of pre-cast steps with an encroaching area of 0.71 square metres on the road allowance, attachments 2, 3 and 4.

## **COMMENTS**

The application has been forwarded to Transportation Services and the utility companies for comments. No adverse comments were received.

## **CONTACT**

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## **SIGNATURE**

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Curtis Sealock, Etobicoke York District Manager  
Municipal Licensing and Standards

## **ATTACHMENTS**

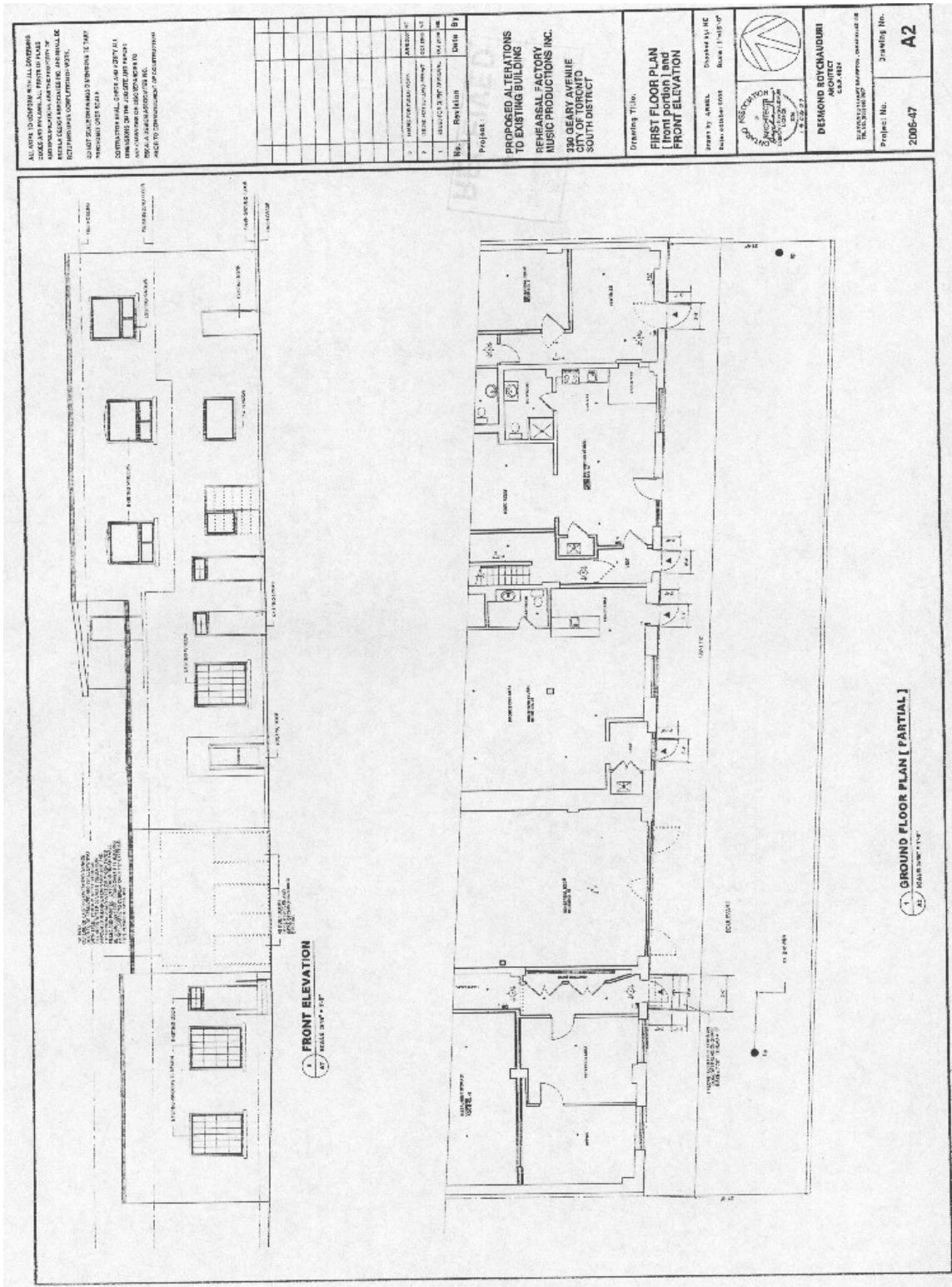
Attachment 1: Site Plan

Attachment 2: Ground Floor and South Elevation Plan

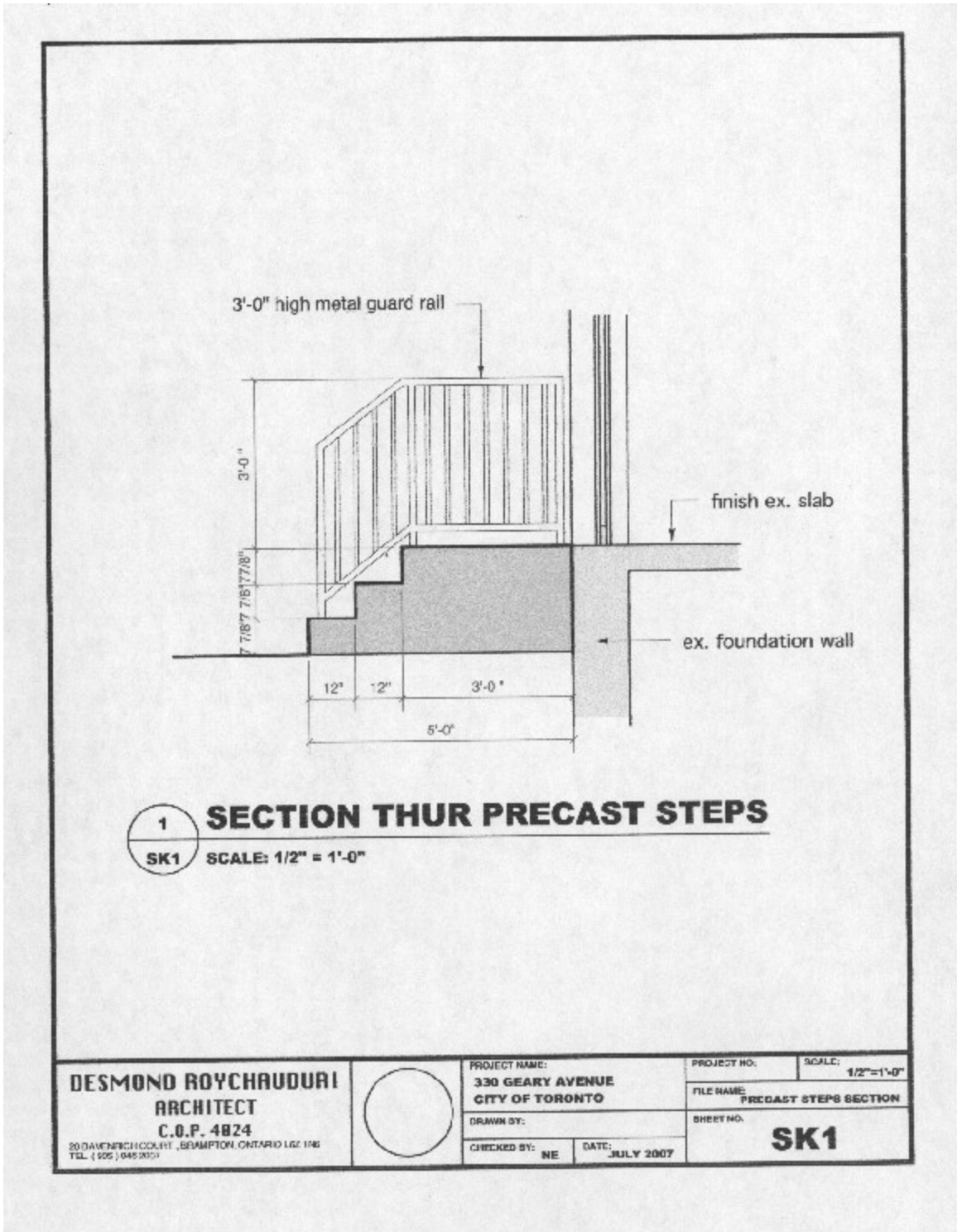
Attachment 3: Section of Pre-cast Steps

Attachment 4: Photo of 330 Geary Avenue, South Elevation





**Attachment 2: Ground Floor and South Elevation Plan**



**Attachment 3: Section of Pre-cast Steps**





**Attachment 4: Photo of 330 Geary Avenue, South Elevation**