



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 267½ Glenholme Avenue (2nd Amendment)

<b>Date:</b>	September 28, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 17 - Davenport
<b>Reference Number:</b>	ML&S Folder No. 06-139427 RAW

#### **SUMMARY**

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To report on an application for Encroachment Agreement submitted by the owner to maintain an existing chain link fence, part of which is sitting on a retaining wall, and the area enclosed therein (including an installed air conditioning unit and a hose reel), and a flight of concrete steps, within the Earlsdale Avenue and Glenholme Avenue road allowance (for an area of approximately 101.14 square metres or 1,088.7 square feet), as well as part of an existing garage that is encroaching on the Earlsdale Avenue road allowance (for an area of approximately 3.74 square metres or 40.25 square feet) – see Attachments 2, 6 and 7. This staff report is about a matter for which the 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 an Encroachment Agreement and the City Solicitor authorized to prepare an Encroachment Agreement for the proposed encroachments subject to the following conditions:**

1. the applicant to enter into an Encroachment Agreement with the City of Toronto;

2. the applicant to pay all fees associated with the preparation of this agreement, and 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;
3. if the subject chain link fence is replaced in future, it has to be realigned to allow a clearance of 800 mm – 1000 mm from the existing hydro pole on the Earlsdale Avenue road allowance, in compliance with the requirements of Toronto Hydro – Attachments 5 and 8;
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 \$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 on an annual basis for the life of the encroachments;
6. the owner to obtain a construction/streets occupation permit prior to the commencement of any construction;
7. the garage is to be repaired and maintained to the minimum standards in accordance with Chapter 629 of Toronto Municipal Code, Property Standards – Attachments 4 and 6;
8. the height of the hedge adjoining the north-east corner of the driveway be maintained at a height of 0.85 metres, extending for a distance 3.0 metres to the west and south of the corner of the fence abutting the west side of the existing driveway, and the remaining portions of the hedge not to exceed the height of the fence – Attachments 6, 7 and 8;
9. the tree/shrubs adjacent to the hydro pole to be constantly trimmed and maintained to avoid overgrowth and sight line obstruction to the traffic signs erected thereon – Attachment 8;
10. the area enclosed by the chain link fence to be kept free of debris and litter, and the grass constantly cut and maintained, in line with the requirements of Chapter 489 of Toronto Municipal Code, Grass and Weeds – Attachment 7;
11. the broken driveway to the east side of the driveway to be paved with asphalt or an acceptable hard surface, including crushed limestone or gravel, to avoid water ponding – Attachment 6;
12. the owner to maintain the subject property in good repair and comply at all times with the regulations set out in the former City of York Municipal Code, Chapter 1004, Street, as amended, including the retaining wall on which the chain link fence is sitting – Attachment 7.

## **FINANCIAL IMPACT**

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

## **ISSUE BACKGROUND**

The property is located at the south east corner of Glenholme Avenue and Earlsdale Avenue – Attachments 2 and 6. The existing chain link fence and part of the garage have been encroaching on the Earlsdale Avenue and Glenholme Avenue road allowance for many years and this application will allow the owner to maintain the existing encroachments and facilitate the repair of the dilapidated garage – Attachments 4 and 6, subject to an Encroachment Agreement being entered with the City of Toronto.

## **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, other than the special requirement of Toronto Hydro to maintain the specified clearance of the chain link fence behind the existing hydro pole – Attachments 5 and 8.

A notice of the application was sent to all landowners within a radius of 60 metres of the subject property requesting for a reply for any comments or objections. Among the 54 ballots issued, any response was received.

## **CONTACT**

Chip Au, Supervisor  
Etobicoke York District  
Municipal Licensing and Standards  
Tel: 416-394-2533 Fax: 416-394-2904  
E-mail: [cau2@toronto.ca](mailto:cau2@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

Attachment 1 – Survey Plan

Attachment 2 – Site Plan

Attachment 3 – Elevation Drawings

Attachment 4 – Garage Detail

Attachment 5 – Clearance around the existing hydro pole as required by Toronto Hydro

Attachment 6 – Photographs showing the general view of property

Attachment 7 – Photographs showing the close-up of property

Attachment 8 – Photograph showing the hydro pole and clearance

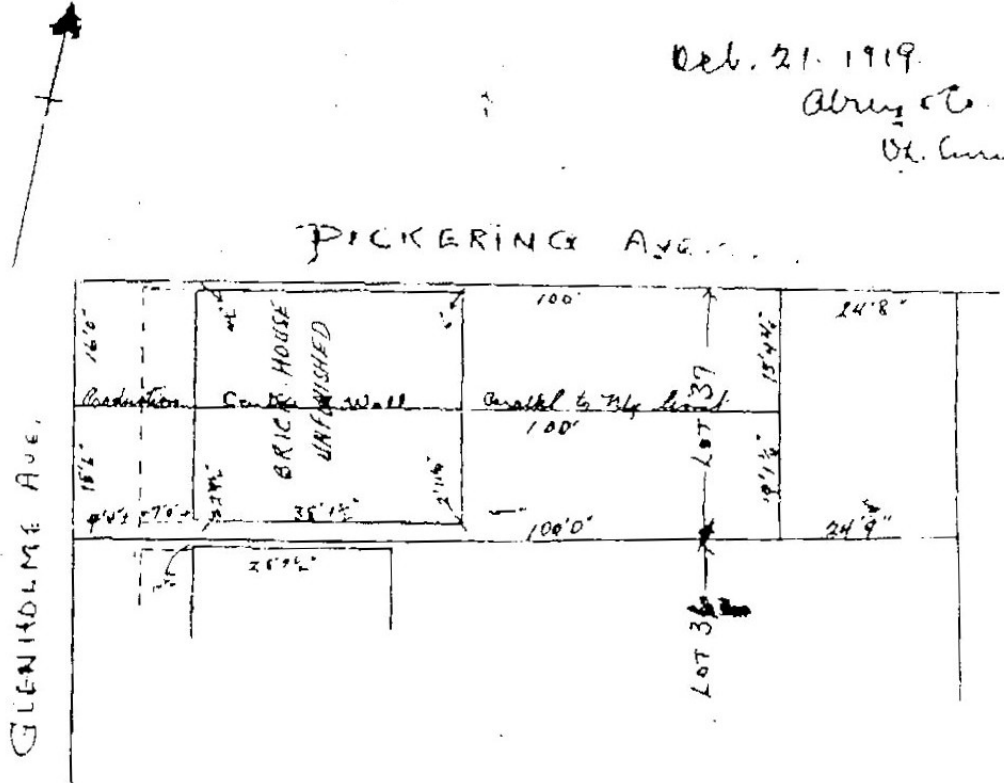
ARCHIBALD & FRENCH,  
 Surveyors, 1011 Broadway, New York 10  
 W. Larchmont, GRAYSON.

514 St. James Place, N.Y.C.  
 Charles S. Johnson, Clerk

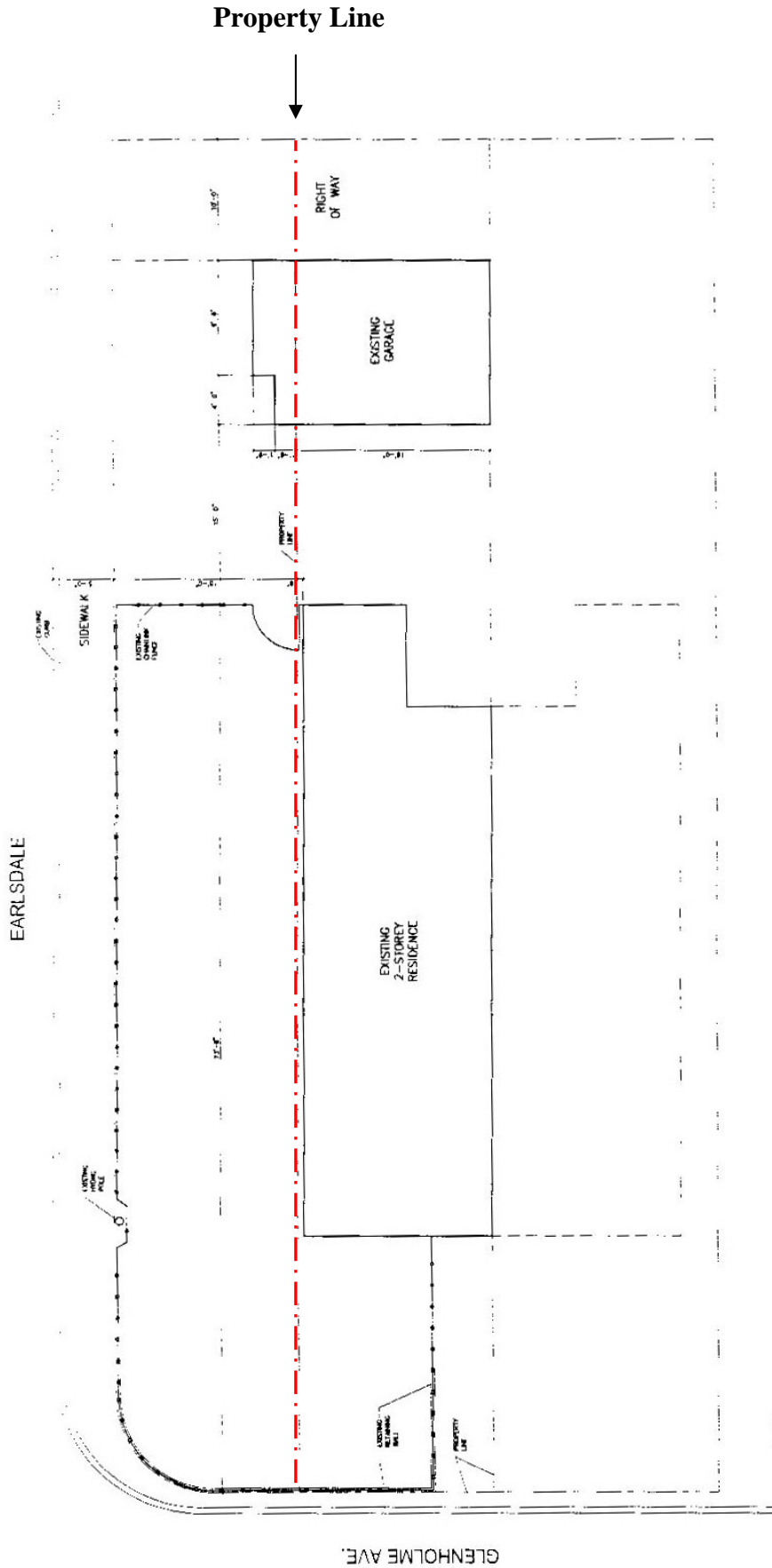
1

Sketch of Survey  
 showing Houses being erected  
 on part of Lot 37. Plan 1575  
 York.

Oct. 21, 1919.  
 Albany Co.  
 Ch. Curry, Jr.  
 Ch. Surveyor.

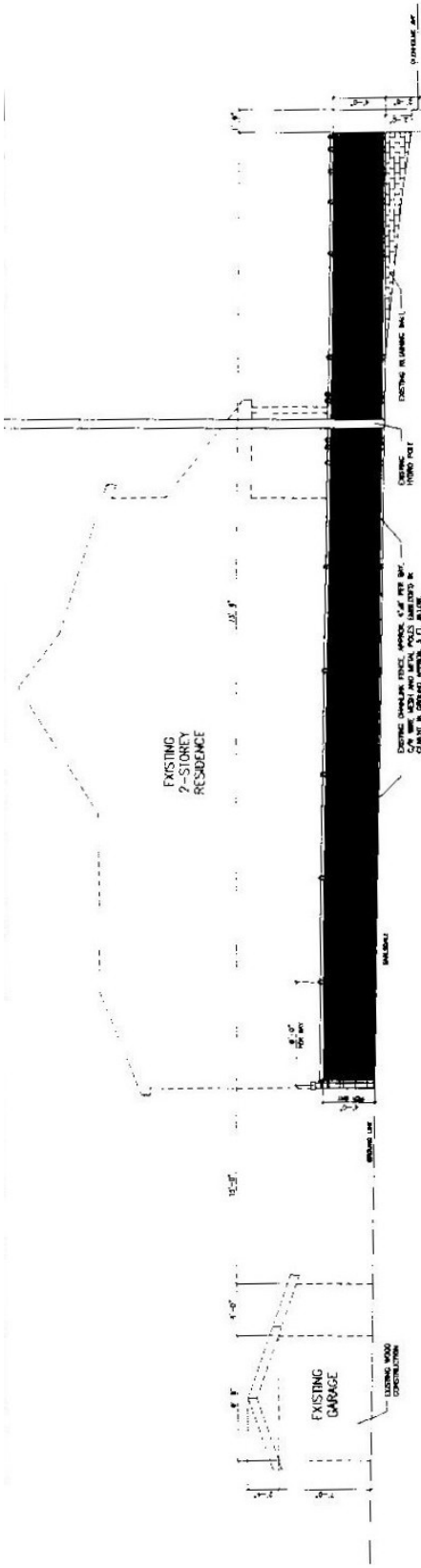


Attachment 1 – Survey of Property

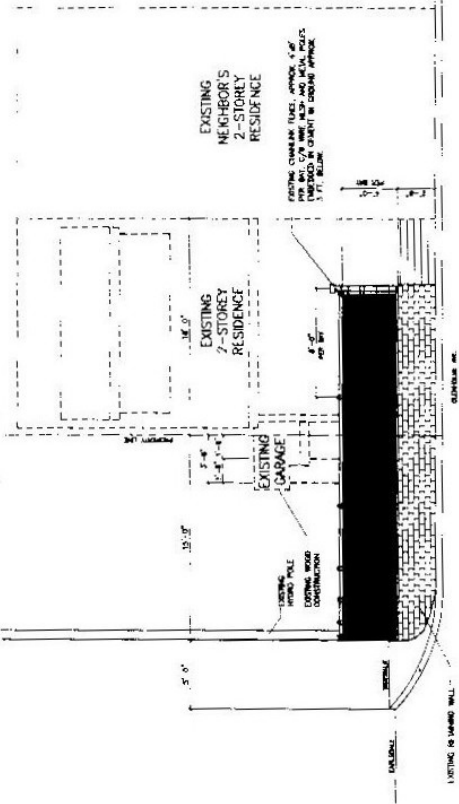


OWNER	PROJECT NAME	DRAWING NO.
MICHELLE WOLF 287 1/2 GLENHOLME AVE. TORONTO, ONTARIO TEL No. (416) 652-5127	WOLF RESIDENCE	A-1
SCALE:	DRAWN BY	CHECKED BY
	HW	MW
	DATE	REF. DRAWING NO.
	JULY 31, 2006	000406

**Attachment 2 – Site Plan**



1  
A-2  
EXISTING NORTH ELEVATION  
1/8"=1'-0"



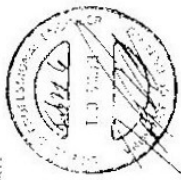
2  
A-2  
EXISTING WEST ELEVATION  
1/8"=1'-0"

Attachment 3 – Elevation Drawings

OWNER <b>MICHELLE WOLF</b> 267 1/2 GLENHOLM AVE. TORONTO, ONTARIO Tel No: (416) 552-5577	PROJECT NAME <b>WOLF RESIDENCE</b>	DRAWING NO. <b>A-2</b>
SCALE 1/4"	CHECKED BY M.W.	PROJECT NO. 000406
DRAWN BY 141	DATE JULY 31, 2006	REF. DRAWING NO.
DRAWING TITLE <b>EXISTING NORTH AND WEST ELEVATIONS</b>		

**GENERAL NOTES:**

- All information that is shown and described by the contractor shall be checked and verified by the contractor prior to construction. Any discrepancies shall be reported to the engineering firm immediately.
- All dimensions must be verified on site by the contractor. Drawings shall be based on the following:
  - The size of work outlined in the drawing is a minimum requirement.
  - Specifications must be greater than or equal to the minimum requirement.
  - Changes must be approved by the engineer prior to construction.
  - Construction must comply with the Ontario Building Code.
- All lumber must be spruce pine fir or grade or better.
- All tracing and structural components affected by the repair or replacement of the exterior wall must be repaired or replaced as recommended by the engineer.
- The Engineer placing a professional seal upon this drawing has reviewed and approved the construction of the work and holds the responsibility for the work in accordance with the Ontario Building Code to be a designer.

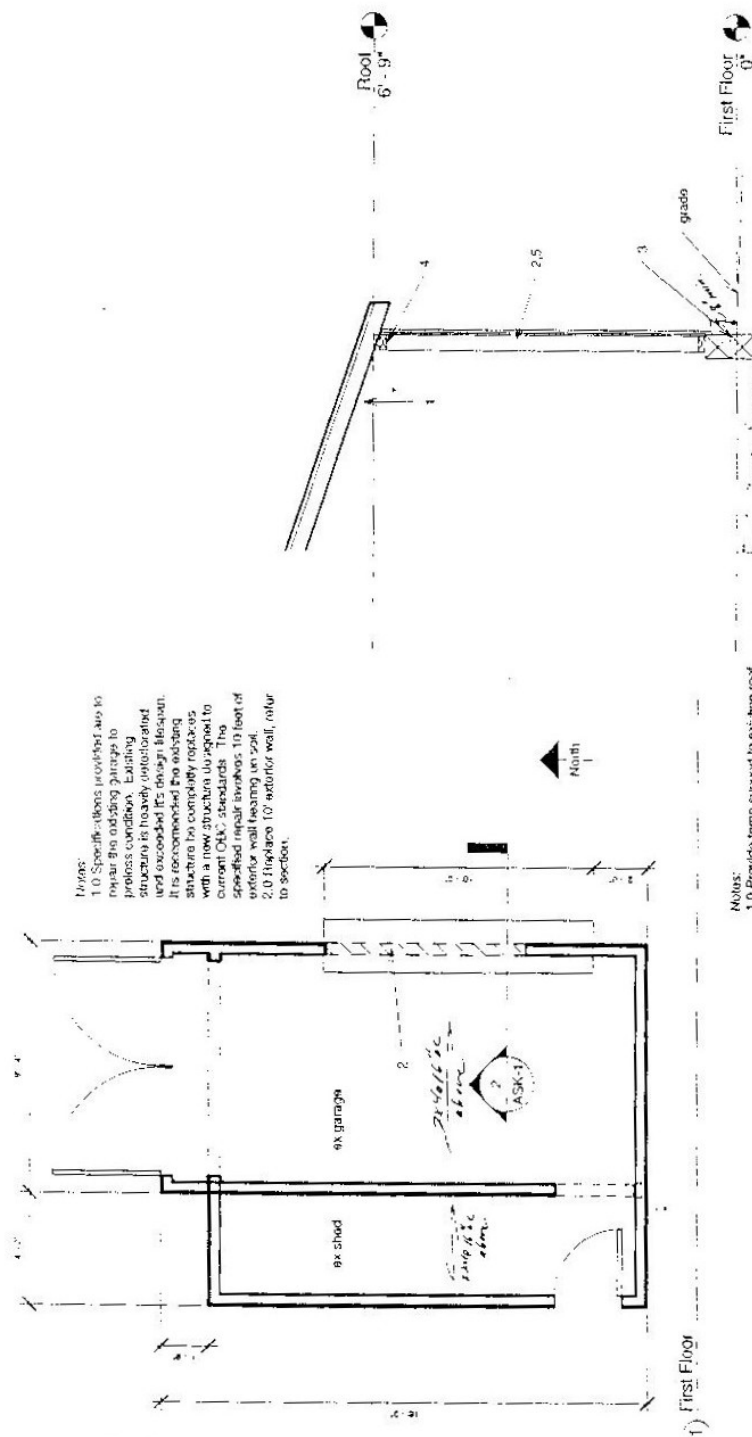


Reviewed by Terry Smith on 11/15/2010  
 on behalf of the Engineering Firm 72223



3800 Lakeshore Road, Unit 10  
 Suite 101, Oakville, Ontario L6L 6K7  
 Phone: (905) 846-7100  
 Fax: (905) 846-7101  
 Email: info@rivertoneng.com

Drawing Title: Garage Repair  
 Client: WJL  
 Location: 2017 Lakeshore Blvd. W.  
 Project No: 06-0077  
 Scale: 1/4" = 1'-0"  
 Sheet No: A-3.1

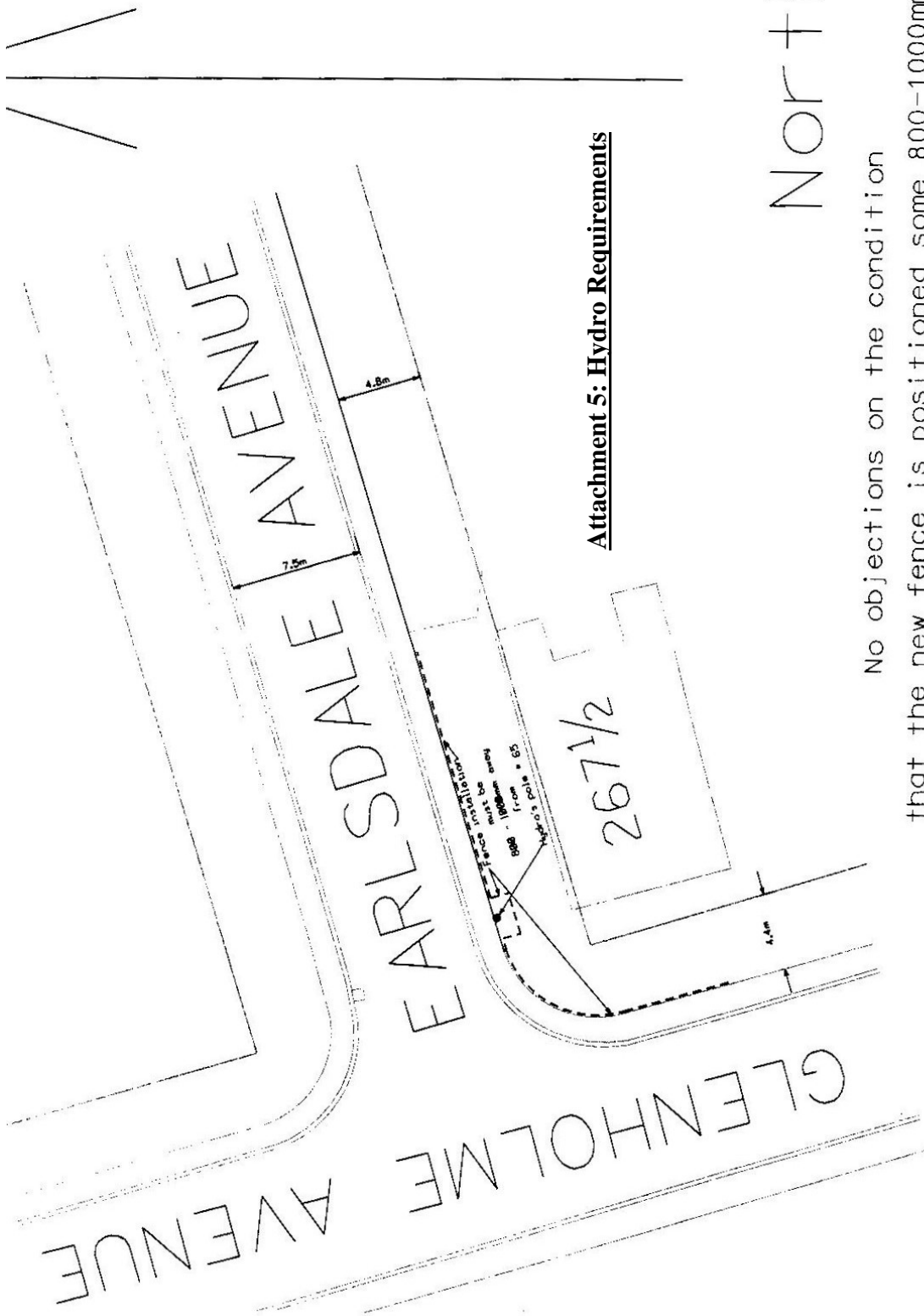


**Notes:**  
 1.0 Specifications required are to repair the existing garage to process conditions. Existing structure is heavily deteriorated. It is recommended the existing structure be completely replaced with a new structure in accord to current OBC standards. The specified repair involves 10 feet of exterior wall bearing on soil.  
 2.0 Replace 10' exterior wall, refer to section.

**Notes:**  
 1.0 Provide ramp support to existing roof frame.  
 2.0 Remove 10' of existing 2x4 wall on existing soil, abut to existing floor slab.  
 3.0 Install 10' two ply 17' 6x6 timber sill on existing soil, abut to existing floor slab.  
 4.0 Insert 2nd ply 2x4 top plate below existing single plate.  
 5.0 Repair 2x4 wall @ 16" oc, 1/2" plywood sheathing. Finish with asphalt shingles.

**Attachment 4: Garage Detail**





**Attachment 5: Hydro Requirements**

North

No objections on the condition that the new fence is positioned some 800-1000mm away from the perimeter of our Hydro pole# 65 !



Garage at Earlsdale Flankage

Chain Link Fence



**Attachment 6**



**Attachment 7**



**Attachment 8: Existing Hydro Pole and Fence Clearance Required**